Class B

File No. PWD 10 LBW 67

MYSORE GOVERNMENT SECRETARIAT

Notes/Correspondence/Collection

Department P.W.D Section Special Irrigation

Subject :— Levy of water Rates - Amendment - Revision of water Rates (inclusive of maintenance Cess).

Earlier References :—

Later References :—

Irrgn
C 1467
7/1/72

(Classification A/B/C)

Notes Pages 45
Correspondence Pages 130
For/Not for Section note Book
To be destroyed after

for Under Secretary to Government

M. [redacted] | Subject: | File No. PWD 10 LBW 67

WD 01050—GPB—8,00,000 18-12-65

1. In the meeting held on 6th April 1967, the Council of Ministers decided to postpone the collection of Water Rates [redacted] for the year 1965-66 and 1966-67. A Sub-Committee has been constituted to consider the question of ~~rationalising~~ reviewing the water rates and submit a report for consideration of Government. We might be having the information regarding water rates prevalent in the neighbouring states. However, it is better to get information in regard to the latest position on the subject from the States of Andhra Pradesh and Madras and Maharashtra.

2. Draft D.O. letter may be put up immediately.

Chandrappa
6/4/67

3. The Water Rates proposed to be levied from 1-7-1965 upto 1-4-1966 may please be seen at page 3 to 5 of the case file. Water Rates proposed to be levied from 1-4-1966 may please be seen at pages 6 to 8 of the case file.

4. Draft letters addressed to the Secretary, PWD Andhra Pradesh, Additional Secretary to Govt. PWD Andhra Pradesh, Secretary to Govt. Madras and Secretary to Govt. PWD, Maharashtra placed at pagex 9 of the case file may please be perused and approved.

6/4/67
Dy. Secy. PWD (Irrgn.)

Jt. Secy. PWD
SECRETARY, PWD

6/4

6/4/67

6/4/67

Extract from the Proceedings of the....Seventh.....Meeting of the Council of Ministers held at Bangalore on.....6th April.....19 67.....

Subject:- C.84/67.

Stay of collection of Water Rates, etc.,

DECISION OF CABINET.

After discussion, it was decided that while collection of land revenue and surcharge thereon should continue as before, the collection of water rate and cesses thereon in respect of the period 1965-66 and onwards might be stayed for the present.

2) It was also decided that in respect of irrigated lands for which contribution had already been levied in the past, collection of betterment contribution should not be made.

3) The collection of maintenance cess at the rate of Rs. 4/- (Four) per acre may be continued as at present.

4) All the ~~rx~~ questions regarding water rate might be got re-examined by a Cabinet Sub-Committee of the following Ministers and their recommendations put up for consideration of the Cabinet.-

1. Minister for Public Works.
2. Minister for Revenue & Forest.
3. Minister for Finance & Planning.
4. Minister for Health & Housing.
5. Minister for Animal Husbandry.
6. Minister for Education.

5) The Secretary to Government, Public Works Department will be the Convener of the above Sub-Committee.

Sd/- S.Nijalingappa,
6-4-67
CHIEF MINISTER.

TB: copy of order issued on the Cabinet decision may kindly be sent to Cabinet Section.

Secretary, PWD.

"EXTRACT".

Deputy Chief Secretary to Government. GAD, Services & Cabinet.

M. G. S.

Subject: Irrigation – Levy of water rates – in Journalism – File No. PWD 10 L&S 67

(3)

WD 01050—GPB—8,00,000 13-12-65

7) 1) Copy of the Cabinet Decision may be sent to-day to the Revenue Secretary for information and to take further action regarding points 1, 2 & 3. Regarding point 4. Action is to be taken by P. WD. ground

14/4/67.

8) 2) As regards para 6. a note as desired by the Secy may be prepared and put up immediately.

7/4/67

Receipt-re. 922/SM/67 from the Secretary to Govt-prop Madras —

9) Ordered by the Secy. PWD on the P.N.D.

p. p. Today.

Dr. C.P.

15/4.

10) Submitted with the file as directed. Reports from the Supdg Engs of A.P. and Madurai are also awaited.

15/4/67

11) 15/4/67

M. CHANNIAPPA,

Dy. Secy. to Govt. P.W.D. (Irrgn.)

12) We may write to the Supdg Engs of A.P. and Madurai (& write also to Dr. Rao) to discuss.

15/4

13) 17/4

Discussed. To put up draft letters to the RDs of Madras and AP.

17/4

Anti-Govt. is being drawn separately.

Secy. PWD. 14/4 No 1444. Date

PWS

Secy P. WD)

Jt. Secy. PWD. No 2544 Date 17/4.

Sr Geol

The Industries Dept's decision from the Secy to Govt is at P. 12 of file

17/4

D/S(G).

D3(1)5

(kv)

PWD 10 LBW 67

4

Subject: Levy of water rates - Information from Madras & Andhra Pradesh. File No. M. G. S.

15) Two draft letters are put up at Pages 13 and 14/C (15)

Ref Para 14.

16) no reply has been received from the Govt of Maharashtra. Reminder is also placed at page 15-0 C.F for perusal & approval.

24/4/67

25 reply

15(0). Reply is received from Madras Govt. The draft letter addressed to Andhra pradesh and Maharastra at pages 14 & 15 of the C/F may be issued and the file put up to-day with the particulars received from Madras Govt.

26/4/67

LBSO 26/4/67

The Govt of Madras have furnished particulars regarding the water-rate/cess assessment prevailing in their State which may be seen at pages 18 to 24 of C.F.

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17) The Minister for Health desired to see the file relating to the fixation of water rate and the rate of betterment levy. The concerned file No. PWD 33 LBW 64 is placed below.

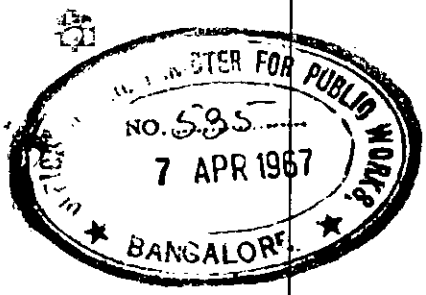
For orders.

Chandappa
CHANDAPPA PATEL, 7/4/67
Secy. P.W. & Elecy. Dept.

Secy. PWD. 7/4
PWS No 1336 Date

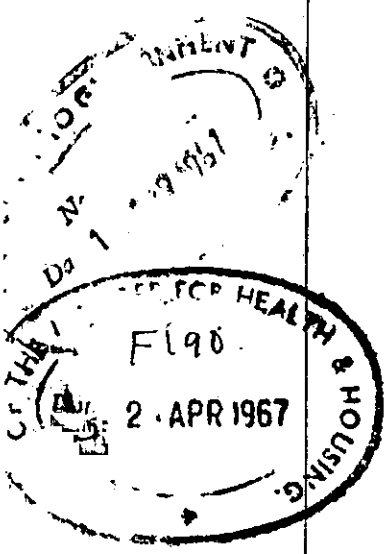
Minister for P.W. I&P)

18) may be sent for perusal
P. Patil
9/4.
(VEERENDRA PATIL),
Minister for Public Works.



Minister for Health

Ch
7/4
CHANDAPPA PATEL
Secy. P. W. & Elecy. De



19) Thanks.
24/4/67
K. PUTTASWAMY,
Minister for Health & Housing

20) The decision of the Cabinet dated 6.4.67 (vide page 2 N.F.) as it relates to water rates may please be perused. It is decided that all the questions regarding water rate are to be re-examined by a Cabinet Sub committee and their recommendations put up for consideration of the Cabinet.

21. In this connection the Secretary to Govt. of Andhra Pradesh, Secretary to Govt. of Madras, Secretary to Govt. of Maharashtra, have already been addressed requesting to send information relating to water rates now prevailing in their States. So far reply from Madras Govt. has been received which may please be perused at pages 18-23 c.f. The Secretary to Govt. Revenue Department, Andhra Pradesh, Secretary to Govt. Irrigation Department, Maharashtra, have been reminded on 26.4.67.

22. A note indicating how the question of water rates has been considered from time to time and water rates have been arrived at as at present existing is ~~now~~ prepared and placed at pages 25-34 c.f. which may please be perused. This may perhaps be sent to all the Members of the Cabinet Sub committee for general information. After receipt of information from the Govt. of Andhra Pradesh and Maharashtra a comparative statement indicating the rates prevailing in Madras and Andhra Pradesh and Maharashtra in comparison with the water rates prevailing in Mysore will be prepared and put up which may then be sent to all the Members of the Cabinet Sub committee for making recommendations to be considered by Cabinet later.

23. For information.

27/4/67
(M.CHANNAPPA)
DY.SECRETARY PWD(I)

Jt. Secy. PWD. No 2845 Date 27/4/67

JT.SECY.PW&E. 27/4/67
SECY.PW&L.

Secy. PWD. 29/4
PASS. No 1646. Date

24) The office notes & the

WD 01050—GPB—8,00,000 13-12-65

note for consideration of the Cabinet Sub Committee may be done. The note should read

To ag.

CC

8/5

Issued on 8/5/67.

25) The members of the Cabinet Sub-committee have been informed of the proposed meeting as per draft at page 35 of C/F.

26) The note on the Levy of water rate along with a Copy of the Cabinet Note as prepared for consideration of the Cabinet Sub Committee has also been sent to all the members - vide Copy at page 37 of C/F.

8/5/67.

27) The file may be put up to Secy P.W.D. on 10/5/67 at the time of the Cabinet Sub Committee meeting

9/5/67.

V.S (T.)

28) The subject of water rates was discussed to-day in the Cabinet Sub-Committee Meeting held in the Chambers of the Secretary, P.W.D. The Draft Minutes of the Cabinet Sub-Committee may be seen at Page. 6/A/C/7. It was decided that ~~in respect~~ instead of fixing the water rates on cropwise basis, it would be practicable and would also eliminate the malpractises at the lower level if the rates were fixed on the basis of the period for which the water would be made available for irrigation. After detailed

p.t.o.

discussions it was agreed to fix the water rates ~~in~~ ~~respect~~ in respect of lands irrigated by an irrigation work capable of irrigating more than 100 acres of lands ~~is~~ as follows:-

(1) Rs.30/- per acre per year for water supplied for a period of more than 7 months in an agricultural year (i.e., 1st June to 1st June).

(2) Rs.15/- per acre per year for water supplied ~~made~~ for a period of 7 months and less in an agricultural year.

(3) Rs.7.50 per acre per year for intermittent supply of water (for dry-cum-wet crops) for a period of 7 months and less in an agricultural year.

In the case of lands irrigated by an irrigation work capable of irrigating not more than 100 acres of lands it was agreed to fix the water rates ~~is~~ as follows:- (29)

(1) Rs.20/- per acre per year for water supplied ~~more~~ for a period of more than 7 months in an agricultural year (i.e., 1st June to 1st June).

(2) Rs.10/- per acre per year for water supplied for a period of 7 months and less.

(3) Rs.4.50 per acre per year for intermittent supply of water (for dry-cum-wet crops) for a period of 7 months and less.

It was also agreed that the Maintenance Cess of Rs.4/- per acre should ~~also~~ be added to the water rates proposed above and a consolidated rates fixed. (30)

In view of the above decision the Section 10 Sub-Clause (1)(d) (ii) of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 may have to be modified as under:- (31)

> "different in respect of water supplied, made available or used with reference to the period of supply of water, ~~and also~~ with reference to the different crops grown or which may be grown".

Further Section 44 of the Irrigation Act of 1965 may have to be deleted in view of the decision taken by the Cabinet Sub-Committee ~~for~~ that the Maintenance Cess need not (32)

M. G. S.

Subject: Levy of water-Rates — — misformation —

File No. MD 10 LBS 67

WD 01050—GPB—8,00,000 13-12-65

be levied as a separate cess. Further the Rules under the Mysore Irrigation Levy of Water Rates (Amendment) Rules 1966 may have to be further amended incorporating the rates as agreed to by the Cabinet Sub-Committee above.

(33) The Cabinet Sub-Committee have further decided that this matter may be placed before the Cabinet for a decision when it meets on 17-5-1967. The Law Department may see the above and indicate its opinion in this regard urgently.

DS (cms)

JS

Secretary

for M.A. Sukkiah, Secy LD

34) 10/5

10/5

4 10/5

35) Law Department may kindly see paras 28-33 of the notes above. The Mysore Irrigation (Levy of Betterment Contribution and Water Rate (Amendment) Act 1965 lays down that water rates shall be levied which may be different in respect of water supplied, made available used from different irrigation works, and when water is supplied, made available or used for irrigation of any land with or without reference to the crop or crops grown or which may be grown on such land.'

36) The Cabinet Sub-committee that was constituted to re-examine all the questions pertaining to Levy of water rates, at its meeting held on 10.5.67, have taken a decision to levy water Rates based on the periods for which water is supplied instead of, on the basis of the crops grown. Therefore, Law Department may kindly advise whether the existing provision under section 10 Sub-section 1, item (ii) of the present Act in force, as explained above needs

10)

Subject: Levy of [illegible] in Journalism — File No. PWD 68567 — M. G. S.

amendment, and if so to suggest an amendment to be in conformity with the decision of the Cabinet Sub Committee referred to above.

(K.B.Murarappa)
Deputy Secretary, P.W.D.

JOINT SECRETARY, PW&E.

SRI M.A.KRISHNA, JT.SECY. L.D.

(37)

The levy of different water rates on the basis of water supplied for different periods in an agricultural year may not satisfy the requirements of Article 14 of the Constitution unless it is possible to justify the levy on the ground of reasonable classification. In K.T. Moopil Nair v. State of Kerala (AIR 1961 S.C. 552) the Supreme Court declared the Travancore-Cochin Land Tax Act, 1955 to be unconstitutional on the ground that the tax levied thereunder was discriminatory and also confiscatory in nature. A uniform levy of Rs.30 per acre for water supplied to any land for a period of more than seven months in an agricultural year from an irrigation work capable of irrigating more than one hundred acres of lands, may be a simple method of realising the revenue, but the quantum of water absorbable and the kinds of crops which could be cultivated may be different in different kinds of lands. In Moopil Nair's case, the Supreme Court has made the following observations:-

> "Under the Act in question we shall take a hypothetical case of a number of persons owning and possessing the same area of land. One makes nothing out of the land,

M. G. S. | Subject: | File No.

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because it is arid desert. The second one does not make any income, but could ~~rise~~ raise some crop after a disproportionately large investment of labour and capital. A third one, in due course of husbandry, is making the land yield just enough to pay for the incidental expenses and labour charges besides land tax or revenue. The fourth is making large profits, because the land is very fertile and capable of yielding good crops. Under the Act, ~~it~~ it is manifest that the fourth category, in our illustration, would easily be able to bear the burden of the tax. The third one may be able to bear the tax. The first and the second one will have to pay from their own pockets, if they could afford the tax. If they cannot afford the tax, the property is liable to be sold, in due process of law, for realisation of the public demand. It is clear, therefore, that inequality is writ large on the Act and is inherent in the very provisions of the taxing section. It is also clear that there is no attempt at classification in the provisions of the Act. Hence, no more need be said as to what could have been the basis for a valid classification. It is one of those cases where the lack of classification creates inequality. It is, therefore, clearly hit by the prohibition to deny equality before the law contained in Art. 14 of the Constitution."

(38)

It is not clear whether all kinds of lands irrespective of their soil classification which determines the productivity of the land, can be used for growing sugarcane or any other such crop, merely because, water is made available for a period during which sugarcane ~~is~~ can be raised. If this is not possible, a levy merely on the basis of period of

supply of water would not be a levy on a rational basis ~~presumably~~ under Article 14 of the Constitution. It would appear that even ~~lands on which~~ when sugarcane is grown, the ryots grow sugarcane on a portion of the lands held by them and grow paddy on another portion of the lands. ~~It may also be that~~ Due to circumstances not within the control of the ryot, it may not be possible for him to grow sugarcane on lands held by him, although water is made available for such lands for the period water is required for growing sugarcane, he would have utilised the water only for the purpose of growing paddy, but under the present proposal he will have to pay water-rate at the highest rate for the water utilised for growing paddy.

Further, it is not clear whether water is supplied throughout the period mentioned in paragraphs 28 and 29. The water-rates now levied have been brought into force from the 1st day of July 1965. The Public Works Department will have to examine whether they would be in a position to levy the water-rates as now proposed with retrospective effect from 1st July 1965. (39)

In any case, in the absence of sufficient data, it is not possible to say that the levy as proposed would be Constitutionally sustainable. However, the levy may be made and the parties concerned will have to be informed of the levy and after considering their objections to the demands made. For this purpose, the administrative Department will have to collect the necessary materials and issue notices. (40)

It may not be necessary to amend section 10 of the Mysore Irrigation (Levy of Betterment Contribution (41)

M. G. S. | Subject: Levy of Water-rates - information. | File No. PWD 10LBW67.

WD 01050—GPB—8,00,000 13-12-65

and Water-Rate) Act, 1957, for purposes of levy as proposed, if the administrative Secretariat is able to establish ~~that~~ that the ~~rationale~~ basis of the levy would be sustainable on a rational basis.

(42) In order to abolish the levy of the maintenance cess at ~~rs~~ Rs.4 per acre, the Mysore Irrigation Act, 1965, will have to be amended.

Tr. Secy. L.D. (D) No 786 Date 15/5/67

Secy. L.D. No 1171 Date 15-5-67

Law Secy) MRS 15/5/67 M A SRIRANGANNA, Dy. Secy.

(43) The proposal assumes equal consumption of water irrespective of the crop that is cultivated or is raised on the land: This assumption if factually as it appears to be will give rise to challenge under Art 14.

Secretary (P.W.D.)

15/5/67 R. SANJEEVAIAH, Secy., Law Dept.

(44) The Proceedings of the Second meeting of the Cabinet Sub-Committee held on 16/5/67 may please be seen at Pages 64-65 of C/F. All the members may be informed of the Proposed meeting on 23/5/1967 at 5 P.M. Infact as required in the Proceedings be Collected and the file put up on 18/5/67 for further action.

S.O. S/11 9 Secy) Meeting notice issued to-day 16/5/67

23/5/67

16/5/67 DS(I)

45. The proceedings of the Cabinet Sub committee meeting held on 16,5.67 may please be perused at pages 64 and 65 of the case file with reference to notes in paras 37 to 43 of the case note.

46. The information received regarding the existing water rates in Madras State as received from the Madras Govt. may please be perused at pages 18-24 C.F. Information received from Maharashtra Govt. may be seen at pages 66 to 69 C.F. As regards Andhra Pradesh, notes in paras 6, and 7 of the Cabinet Note (vide pages 43 and 46 C.F.) may please be seen.

47. Taking into consideration the above information ~~the~~ note now prepared for consideration of the Cabinet Sub-committee (which is placed at pages 70-73 C.F.)

48. In paras 10 and 11 of the note (vide page 72) the rates as in Mysore State, as in Andhra Pradesh and as recommended by the Cabinet Sub Committee on 10.5.67 in respect of wet crops, dry crops, for Dofussal or two wet crops indicated may please be perused. The admissibility of prescribing such rates from the legal point of view may please be examined. It is also a point for consideration whether it becomes necessary to define the terms "wet crops", "dry crops" "Dofussal" crops" etc. Law Department may please see and advise as the matter is going to be considered in the next meeting of the Cabinet Sub Committee proposed to be held on 23.5.66 at 5 p.m.

Jt Secy P.WD

Sri. Sri Krishna
Jt Secy. LD

20/5

20/5/67
(M.CHANNAPPA)
DY.SECRETARY, PWD(I)

Jt. Secy. L.D. (D)
No 828 Date 20-5-67

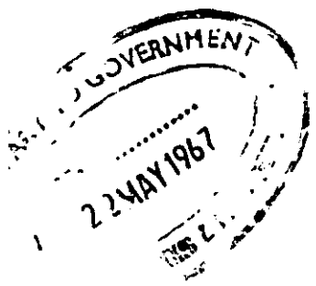
M. G. S. | Subject: | File No.

WD 01050—GPB—8,00,000 13-12-65

828/JSD

(49)

Secy. L.D.
No/263 Date 22-5-67



As already stated, the levy of water rate on the basis of the periods during which water is made available can be attacked as contravening Article 14 of the Constitution of India. It may be possible to sustain the levy if it is imposed on a basis similar to that adopted in Andhra Pradesh.

Mas. 20/5/67
M. A. KRISHNAN,
Draftsman & Ex-Officio
Joint Secretary, Law Department.

Law Secy) M 22/5
50) Secy (P.W.D) 22/5
R. SANJEEVALU,
Secy., Law Dept.

Cl 22/5
22/5/67

Js. 22/5
22/5/67

51) The Cabinet Sub Committee met in the Chamber of the Hon'ble P.W.D on 23/5/67 @ 5.0 P.M as Programmed and decided to Levy wakiralis based on the crop. and to do away with the maintenance Cess but the wakiralis now decided are inclusive of "Maintenance Cess" A draft Cabinet was Prepared based on the discussion, and the Same is Put up for Consideration of the Cabinet. The Cabinet note may be Seen in the next page.

(52) Decision of the Cabinet may be awaited. 23/5.

Cabinet note put up on 25/1/67 16

(53) In the Council of Ministers held on 6th April 1967, the following decisions have been taken in respect of water rates:-

"All the questions regarding water rates might be got re-examined by a Cabinet sub-committee of the following Ministers and their recommendations put up for consideration of the Cabinet:

(1) Minister for Public Works
(2) Minister for Revenue and Forests
(3) Minister for Finance and Planning
(4) Minister for Health and Housing
(5) Minister for Animal Husbandry
(6) Minister for Education.

(54) The Secretary to Government, Public Works Department will be the Convenor of the above sub-committee"

(55) Accordingly the Cabinet sub-committee considered the question at length in its meetings held on 10-5-1967, 16-5-1967 and 23-5-1967. The possibility of levying the water rates based on the period of supply was examined in the first instance. However, as it was opined by the Law Department that such a levy would attract Article 14 of the Constitution of India and may be challenged in the court on the grounds of discrimination. It was finally decided that the water rates be levied as under in respect of irrigation works having an achkat of 100 acres and below:

(1) Sugarcane	.. Rs. 20/- per year per acre
(2) Single Wet (paddy)	.. Rs. 11/- per acre.
(3) Double Wet (two paddy crops in one year)	.. Rs. 16-50 per acre
(4) (a) Irrigated dry single crop	.. Rs. 5-50 per acre
(b) Irrigated dry two crops in one year	.. Rs. 8-25 per acre
(5) Garden crops	.. Rs. 12/- per year per acre
(6) Manurial crops.	.. Rs. 3/- per acre.

..P.2.

In respect of irrigation works having an achkat of above 100 acres the water rates may be levied as detailed below:

(1)	Sugarcane	.. Rs. 30/- per year per acre
(2)	Single Wet (paddy)	.. Rs. 16/- per acre
(3)	Double Wet (two paddy crops in one year)	.. Rs. 24/- per acre
(4)(a)	Irrigated dry single crop	.. Rs. 8/- per acre
(b)	Irrigated dry (two crops in one year)	.. Rs. 12/- per acre
(5)	Garden crops	.. Rs. 20/- per year per acre
(6)	Manurial crops.	.. Rs. 4/- per acre per crop.

(56) The above rates are inclusive of maintenance cess. Therefore there will be no separate charge under the head " Maintenance Cess"

(57) The revenues under the head "Water Rates" on the basis of the existing rates will be about Rs. 250 lakhs. In addition there will be a realisation of about Rs. 56 lakhs under the head " maintenance Cess". Thus the total revenue will be about Rs. 306 lakhs. On the basis of the proposed water rates which will be inclusive of the maintenance cess the revenues would be about Rs. 165 lakhs. It may also be mentioned that the Government have decided to take over the maintenance of all the irrigation works. This will entail an expenditure of about Rs. 242 lakhs. Therefore the net revenues under the water rates would be NIL. As a matter of fact the Government will have to bear additional liability on this account.

(58) The above Cabinet note is submitted for kind consideration of the Council of Ministers and orders.

24/5/67

Extract from the Proceedings of the.....TWELFTH.....*Meeting of the Council of Ministers held at Bangalore on*.....24th May.....1967.....

MYSORE GOVT. SECRETARIAT G.A.D. (COUNCIL SECTION) No. C.129/67 24 MAY 1967

SUBJECT:- Levy of Water Rates on Irrigated Lands.

DECISION OF CABINET

(59) Proposed Water Rates approved.

SECRETARY TO GOVERNMENT PWS/2054 30 MAY 1967 PUBLIC WORKS DEPT.

Sd/- S.Nijalingappa
Chief Minister
(24-5-1967)

Copy of the orders issued on the subject may please be sent to Cabinet.Section for record.

Secretary, P.W.D.)

(60) Draft Agriculture Rules may be prepared & put up urgently.

30/5/67

DSC(I)

30/5/67.

"EXTRACT

N.J.Gorepeerazade 31/-

(N.J.Gorepeerazade)
Deputy Chief Secretary to Government.
G.A.D.(Integration)

29/5/67

M. G. S.

Subject: Levy of water rates

File No. PWD 10 LBW 67

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61 A draft amendment to the Principal rule incorporating the decision of the Cabinet is Put up at Pages 79-81/ct. clause (b) ~~of sub-rule (2)~~ of the Principal Rules ~~is~~ proposed to be deleted for the reason that water rates in respect of arecanut, plaintain, betel leaves etc. ~~are~~ appear to come under 'Garden crops'. ~~For~~ Sub-rule (2) of the principal Rules is also proposed to be deleted as there is provision in the new water rates for levy of water rate for "double wet (Two Paddy crops in one year)"

62) LD may be requested to scrutinize the draft ~~rule~~ rule

31/5 31/5/67 | 27/5(9)

63) The Cabinet Note in paras 54-58 and the decision of the Cabinet in para 59 and instructions of the Secretary, P.W.D. in para 60 of the case note may be perused.

64) As per para 60 of the case note a draft notification proposing amendments to the Irrigation Rules 1967 as amended already) are now placed at pages 79-80 C.F. which may please be perused and referred to Law Department for scrutiny of the draft notification.

1/6/67
(M.Channappa)
DY.SECRETARY, PWD (I)

Jt. Secy PWD. No 3776 Date 1/6

JT.SECY.PW&E.
SECY. PW&E.

1/6/67
M. C. ANTIN,
Jt. Secy., P.W. & Elec. Depts.

(65)

May kindly be (66)
examined urgently
CL
5/6

Shri Srikrishna
J.3.LD.

According to sub-clause (ii) of sub-section (1) of (67)
section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, the Government may prescribe the rates at which the water rates shall be levied which may be different in respect of water supplied, made available or used from different ~~wi~~ irrigation works, and when the water is supplied, ~~and not~~ made available or used for irrigation of any land with or without reference to ~~for~~ the crop or crops grown or which may be grown on

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such land and the manner in which and the authority by which the amount of water rate levied shall be determined. From the amendment proposed in the draft, it would appear that water rate is proposed to be levied with reference to the crop or crops grown on lands. Clause (a) of sub-rule(1) of rule 3 refers to the different crops specified in column 1 of the table, but in the amendment items (2), (3) and (4) of Parts I and II of the table seem to refer to the land and not the crop or crops. If the intention is to levy the water rate with reference to different crops grown, it would be necessary to clearly mention the irrigated dry crops, the garden crops and the manureal crops referred to in items (4), (5) and (6) In respect of sugarcane it has been specified that the rate would be Rs.20 per year per ~~acre~~ acre. ~~Whether~~ Whether a particular crop of sugarcane requires more than 12 months for harvesting the crop it would not be possible to levy the water rate for a period beyond a period of 12 months as the levy is on the basis of a year.

(A)

(68)

The principal rules were made with retrospective effect from the 1st day of July 1965. It is not clear whether the revised rates should also be brought into force with effect from that date. If the revised rates are brought into force with retrospective effect from 1st July 1965, it will have to be considered whether the ~~The~~ Tahsildar would be able to perform the quasi-judicial functions entrusted to him under rule 4 and determine the water rates payable in respect of the different lands on which the various crops were grown during the last two years.

(69)

The Public Works and Electricity Department may

22)

Subject: **File No.** PWD 10 LBW 67. **M. G. S.**

Levy of Water Rates - Amendment.

---

kindly consider the points indicated above and revise the draft suitably.

mas 6/6/67
M. A. SRIKRISHNA,
Draftsman & Ex-Officio
Joint Secretary, Law Department

Secretary to Govt.)
Public Works &)
Electricity Dept.)

70) For perusal of paras 63-66 of the case note and the suggestion of the Law Department in paras 67-69 of the case note. The draft amendment is now suitably amended as per suggestion of the Law Department and ~~now~~ placed at pages 81-84 ~~n.f.~~ which may please be perused. To enable Levy of water rates with refernce to different crops grown, the irrigated dry crops, the garden crops and the Perennial crops are clearly mentioned in the rules.

71) As regards sugarcane the Cabinet have approved a rate of Rs.20/- and Rs.30/- per acre per year in respect of irrigation work capable of irrigating not more than 100 acres of land and in respect of Irrigation work capable of irrigating more than 100 acres of land respectively. The remark of the Law Department in portion (A) side lined in para 67 may please be seen. As per the previous amended Rule water rates have been prescribed differently in respect of sugarcane crop.-

(i) to be harvested after a period of 16-18 months

(ii) to be harvested after a period of 11 months.

72) According to the Cabinet decision the rate approved is for a period of one year. For any fraction of a year beyond one year the Act and the Rule do not permit levy of proportionate water rate. Such being the case in respect of sugarcane crop requiring water over a period of 12 months ~~in any revenue year cannot be charged~~ any higher rate Can not be Changed It may perhaps be desirable to adopt the following rates.

WD 01050—GPB—8,00,000 13-12-65

1) For Sugarcane Crop	Under irrigation work capable of irrigating	
	not more than 100 acres	more than 100 acres
	Rs	Rs
(a) to be harvested within a period of 12 months	20	30
(b) to be harvested after a period of 12 months.	30 cl	45 cl

~~classification~~ by slightly modifying the water rate as approved by Cabinet already. The above rates are incorporated in the rules since Generally sugarcane crop requires water from 12 to 15 months. But adoption of the above rate requires Cabinet approval.

Information on this point is being collected by the Revenue authorities OM 7/6/67

73) With reference to para 68 of the case note it may be stated that these revised rates may have to come into force with retrospective effect from 1st July 1965. Revenue Department might have already gone through Quasi-Judicial functions to enable levy of these rates with retrospective effect.

For perusal and orders.

OM 7/6/67

(M. HANNAPPA)
DY. SECRETARY TO GOVT. PWD(I)

SECY. PW&E.)

74) In view of the legal difficulties pointed out by I.D. in para 67 (portion A) The suggestion made in 72 seems to be the only alternative course & may therefore be accepted.

cl 7/6

Min put up

24)

Subject: Levy of Water Rates - Amendment.

File No. PWD 10 LBW 67

M. G. S.

75) L.D. should have advised earlier, In the matter of water rate for the last five years we have done nothing excepting discussing without any result. There must be some finality. Advice given by L.D. in instalments cannot be appreciated. Since the proposal is to modify the rates already approved by the Cabinet it is for the Cabinet to approve the revised proposal. Cabinet note may be prepared and placed before the next meeting.

V. Prakash 7/6

PMK 8/6/67

76. For perusal of paras 70-75 of the case note. A draft cabinet note as instructed in para 75 is now prepared and placed at pages 85-88 which may please be perused and approved.

77. As regards giving effect to water rates with effect from 1.7.67 I learnt that in respect of Bellary action has been taken by the Deputy Commissioner to issue notices etc. In respect of other Districts it is not definitely known what action has been taken by them.

WD 01050—GPB—8,00,000 13-12-65

Hence it may perhaps be desirable to give effect to these Rules with effect from 1.7.67 (that being the commencement of the Revenue year).

For perusal and orders.

8/6/67
(M.Channappa)
DY.SECRETARY.PWD (IRRGN.)

SECY.PW&E)

78) I had a discussion with J.S. L.D. These rules may be brought into force with effect from 1.7.65. The draft Cabinet note may kindly be approved.

Secy. PWD. 9/6.
PWS No 2299 Date

8/6/67

Minister P.WD

79) Approved 8/6

Secy.(P.W&E)

(CHEERA [illegible])
Minister for Public Works

9/6

(79) The Cabinet Note dated 25-5-1967 in Paras 53 to 58 of the case file and the decision of the Cabinet thereon in Para 59 may please be perused with reference to Paras 67 to 79 of the case note.

p.t.o.

26)

Subject: Levy of Water Rates - Amendment.

File No. PWD 10 LBW 67

M. G.'S.

(80) In view of the specific opinion of the Law Department with regard to the levy of water rates in respect of sugarcane a Cabinet Note indicating the rates to be levied in respect of the sugarcane crops to be harvested within a period of 12 months and to be harvested between 12 to 18 months is now placed at Pages 89 to 92 of the case file along with the Draft rules proposed to be issued which may be perused and approved before placing the same before the Cabinet for a decision in the matter.

13/6/67

Dy. Secy. to Govt. P.W.D. (Irrgn.)

Chief Min. No. 1053 Date 12/6/67

CHIEF MINISTER:

13/6/67

DY.SECY. (CABINET):

Secy. PWD. 15/6. No 2388 Date

DS (PWD)

SECRET 1967 PWD 10 LBW 67

81)

CABINET NOTE

C ..139/67...

Sub:-Levy of Water Rates - Amendment- Revision of Water Rates.

On the recommendation of the Cabinet Sub-Committee constituted by the Council of Ministers in the Meeting held on 6-4-1967 to re-examine the question of Water Rates, the Cabinet decided in its Meeting held on 24-5-1967 to fix the water rates as under:-

I. In respect of Irrigation works having an atchkat of 100 acres and below:-

(1) Sugarcane	Rs.20/-per year per acre.
(2) Single Wet(Paddy).	Rs 11/- per acre.
(3) Double Wet(two paddy crops in one year).	Rs 16-50 per acre.
(4) (a) Irrigated dry single crop	Rs 5-50 per acre.
(b) Irrigated dry two crops in one year.	Rs.8-25 per acre.
(5) Garden crops	Rs.12/-per acre per year
(6) Manurial crops.	Rs.3/- per acre per crop.

II. In respect of irrigation works having an atchkat of above 100 acres the water rates may be levied as detailed below.-

(1) Sugarcane	Rs. 20/-per year per acre.
(2) Single Wet(paddy)	Rs.16/- per acre.
(3) Double Wet(two paddy crops in one year)	Rs.24/- per acre.
(4) (a) Irrigated dry single crop.	Rs.8/-per acre.
(b) Irrigated dry(two crops in one year)	Rs.12/-per acre.
(5) Garden crops	Rs.20/-per year per acre.
(6) Manurial crops.	Rs.4/- per acre per crop.

It was also decided there would be no Maintenance Cess.

III. Accordingly adraft Amendment to the principal rules incorporating the above decisions regarding water rates was prepared and referred to the Law Department for scrutiny. The Law Department made the following observations:-

Cont....2

(28

"According to sub-Clause(ii) of Sub-section (1) of Section 10 of the Mysore Irrigation (Levy of Betterment contribution and Water Rate) Act, 1957, the Government may prescribe the rates at which the water rates shall be levied which may be different in respect of water supplied, made available or used from different irrigation works, and when the water is supplied, made available or used ffor ~~different~~ irrigation of any land with or without reference to the crop crops grown or which may be grown on such land and the manner in which and the authority by which the amount of water rate levied shall be determined. From the amendment proposed in the draft it would appear that water rate is proposed to be levied withreference to the crop or crops grown on lands. Clause (a) of Sub-Rule (1) of Rule 3 refers to the different crops specified in Column 1 of the table, but in the amendment items (2), (3) and (4) of Parts I and II of the table seem to refer to the land and not the crop or crops. If the intention is to levy the water rate with reference to different crops grown, it would be necessary to clearly mention the irrigated dry crops, the garden crops and the manurial crops referred to in items (4), (5) and (6). In respect of sugarcane it has been specified that the rate would be Rs.20 per year per acre. Where a particular crop of sugarcane requires more than 12 months for harvesting the crop it would not be possible to levy the water rate for a period beyond a period of 12 months as the levy is on the basis of a year.

The Principal rules were made with retrospective effect from the 1st day of July, 1965. It is not clear whether the revised rates should also be brought into force with effect from that date. If the revised rates are brought into force with retrospective effect from 1st July,1965, it will have to be considered whether the Tahsildar would be able to perform the quasi-judicial functions entrusted to him under rule 4 and determine the water rates payabl in respect of the different lands on which the various crops were grown during the last two years.

The public Works and Electricity Department may kindly consider the points indicated above and revise the draft suitably".

IV. In the light of the above observations, draft has been revised to levy water rates with reference to the different crops grown, including various Irrigated crops,which is enclosed with this Note.

*

.....3.

V. The Law Department has observed that if a particular crop of sugarcane requires water for more than 12 months for harvesting the crops it would not be possible to levy the water rate for the period beyond a period of 12 months as the levy is on the basis of the year. Therefore the water rate for sugarcane will have to be prescribed on the basis of the period during which water will be supplied as is the case in the rules in force, which is as under:

For Sugarcane to be:-

(a) to be harvested after a period of 16-18 months. --- Eighty rupees.

(b) to be harvested after a period of 12 months. --- Sixty rupees.

VI. According to the Cabinet decision the rate approved for sugarcane is for a period of one year. For any fraction of a year beyond one year the Act and the Rule do not permit levy of proportionate water rate. Such being the case, in respect of sugarcane crop requiring water for a period more than 12 months any higher rate cannot be charged. In view of the legal difficulties pointed out by the Law Department, it is for consideration whether the following rates in the case of sugarcane could be approved:-

For Sugarcane Crop.	Under irrigation work capable of irrigating.	
	Not more than 100 acres.	More than 100 acres.
(a) to be harvested within a period of 12 months.	Rs.20/-	Rs.30/-
(b) to be harvested between 12 months & 18 months.	Rs.30/-	Rs.45/-

.....4

VII. When the File was submitted to the Minister for Public Works and Power, he has been pleased to order that the subject may be placed before the Cabinet in the next Meeting for decision.

VIII. Hence this Cabinet Note.

(Chandappa Patel)
ecretary to Government,
Public Works & Electricity Deptt.

DRAFT NOTIFICATION.

The draft of the following Rules to further amend the Mysore Irrigation (Levy of Water Rates) Rules, 1965, which the Government of Mysore proposes to make in exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957, (Mysore Act 28 of 1957) is hereby published as required by Sub-Section 1 of the said section for the information of persons likely to be affected thereby and therefore notice is hereby given that the said draft rules will be taken into consideration on or after the . . . . . .

Any objection or suggestion which may be received from any person with respect to the aforesaid draft rules by the State Government before the date specified above will be considered by the Government. Objections and suggestions may be addressed to the Secretary to the Govt. of Mysore, P.W.D. Vidhana Soudha, Bangalore.1.

DRAFT DRAFT.

1. Title and Commencement:-

   1) These rules may be called the Mysore Irrigation (Levy ofWater Rates) (Second Amendment) Rules, 1967.

   2) They shall come into force from

2. Amendment of Rule 3:-

   In Rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, (hereinafter referred to as the principal Rules),

   (1) for the Table in clause (a), the following Table shall be substituted, namely:-

TABLE

Part-I

Lands irrigated by any irrigation work capable of irrigating not more than one hundred acres of land.

Crop. (1)	Water Rate per acre (2)
(i) for sugarcane crop. (a) to be harvested within a period of 12 months.	-- Rs. 20- (Twenty Rupees).
(b) to be harvested between 12 and 18months period	- Rs. 30 (Thirty Rupees)
(ii) Paddy crop.	- Rs. 11/-(Eleven Rupees).
(iii) For an irrigated dry crop of Javar, Maize, Ragi, Navane, Sajee, Pulses, green gram, wheat, cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco and Coriander.	--Rs. 5.50 (Five rupees and fifty
(iv) Manurial crops, viz., Sannhemp and Sesbania.	-- Rs. 3/- (Three Rupees)

Part-II

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land.

Crop. (1)	Water Rates per acre. (2)
(i) For Sugarcane crop. (a) to be harvested within a period of 12 months.	Rs. 30/-(Thirty rupees)
(b) to be harvested between 12 months and 18 months	Rs. 45/-(Forty Five Rupees).
(ii) For Paddy crop.	Rs. 16/- (Sixteen Rupees)
(iii) For an Irrigated dry crop of - Javar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco and Coriander.	Rs. 8/ (Eight Rupees).
(iv) Manurial crops, viz., Sannhemp and Sesbania.	Rs. 4/- (Rupees Four).

In respect of rule 3(1)(b) of the principal rules the following shall be substituted:-

"(b) in respect of water supplied, made available or used from the irrigation works specified in Col. (1) of the Table below, for the irrigation of lands on which arecanut, Betel-leaves, Plantain, Turmeric, Lime, Oranges, Pomegranates, Coccanut, Pepper, Mulberry.

or any fruit are grown, water rates at therates specified in the correspondi entry of Column (2) of the said Table shall in respect of each revenue year, be levied:-

TABLE

Irrigation work. (1)	Rate per acre. (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Rs.12/- (Rupees Twelv
2. Irrigation work capable of irrigating more than one hundred acres of land.	Rs.20/- (Rupees Twenty

For Sub-Rule 2 of Rule 3 of the princi pal rules, the following shall be sub tituted:-

"When water is supplied, made availabl or used from the irrigation works spe cified in column(1) of the Table belo for the irrigation of any land on w' paddy crop or any other irrigated dr crop of Jawar, Maize, Ragi, Navane, Sajje Pulses, Green-gram, Wheat, Cot Groundnut, Vegetables, Chillies, Pot toes, Sweetpotatoes, Ginjelly, Onion Tobacco and Coriander is grown twice in any revenue year, water rates at rates specified in the correspondi entry of column (2) of the said Tabl shall be levied for the second cro

TABLE

Irrigation work. (1)	Rate per acre of Second crop of. (2)	
	Paddy.	Irrigated dry crop of Jawa Maize, Ragi, Navane, Sajj Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegeta - bles, Chillies, Potatoes, Sweetpotato, Gingelly, Onions, Tobacco and Cori ander.
1) Irrigation work capable of irr- gating not more than one hundred acres of land.	5-50	2-75
2) Irrigation work capable of irri- gating more than one hundred acres of land.	8-00	4-00

BY ORDER AND IN THE NAME O THE GOVERNOR OF MYSORE.
Sd: (M. Channappa)
Deputy Secretary to Government, P. W. D. (Irrigation).

The Compiler,
Mysore Gazette.

(24

SECRET

Extract from the Proceedings of the.....FOURTEENTH.....*Meeting of the*

Cabinet of Ministers held at Bangalore on.....14th June.....*1967*.....

Subject: C.139/67

Levy of Water Rates - Amendment - Revision of Water Rates.

82)

DECISION OF CABINET

A p p r o v e d.

Sd/- S.Nijalingappa
CHIEF MINISTER
(14-6-1967)

Secy. PWD. Date
No

Secretary to Govt.,
P.W.Dept.

D-gent-

14/6

D36)

"EXTRACT"

14/6/67

(R.Thippoji Rao)
Deputy Secretary to Government, G.A.D.
and Cabinet.

N.B.:—A Copy of order issued on the Cabinet decision may kindly be sent to Cabinet Section for record.

14/6

M. [illegible] S.

Subject: Levy of water Rates — Amendment

File No. PWD 10 LBW 67

(35)

83. For perusal of paras 67-79 of the case note and also the Cabinet decision in para 82 of the case note. The draft amendments at pages 93-95 C.N. proposed to be notified may please be perused and scrutinised.

84. As regards the rates to be levied for Sugarcane cabinet have now decided that there may be one set of rates for the crop requiring water for a period of 12 months and another set of rates for the crops to be harvested between ~~for a period of~~ 12 to ~~and~~ 18 months.

85. Law Department may kindly see the draft notification and advise.

16/6/67

(M.Channappa)
Deputy Secretary,
P.W.D.(Irrigation)

~~SECRETARY TO GOVERNMENT~~. (86) for favour scrutiny urgently

SECY.PW&E.

SRI SRIKRISHNA,
JT.SECY. L.D.

CHANDRAPPA
Secy. P. W. & Elecy. Dept.

SECRETARY TO GOVERNMENT
No. 3738
Date 16 JUN 1967
PUBLIC WORKS & ELEC. DEPT.

V. Urgent

Secy. L.D. (D)
No 989 Date 17/6/67

(87) A revised draft is placed in the file (Pages 96-100 of 1966) which will have to be omitted as the revised rates now proposed is intended to be made operative from 1st July 1965. Provision for this purpose has been made.

(88) Rule 4 of the Amendment Rules

(89) Although the Act empowers the State Govt. to make a retrospective rule, when once the power is exercised, it is doubtful whether again another rule superseding the rule already made could be made with retrospective effect. It is therefore desirable to validate the action now proposed to be taken, while undertaking legislation

Mrs 17/6/67

Deputy Draftsman

483/82
17/6/67

Reclassification
been made in the
proposals

(36)

Subject: Levy of water rate — Amendments

File No. PWD 10 LBW 67

M. G. S.

WD 01050—GPB—8,00,000 13-12-65

legislation to amend the Mysore Irrigation Act.

Secy P. WD Dept

Mas 23/6/67
M. A. SRIKRISHNA,
Draftsman & Ex-Officio
Joint Secretary to Law Department.

90) The draft may be published in the next issue of the Gazette

CG 23/6

91) Draft DO to the Director, Government Prtg. Bangalore requesting for publication of the draft water rate rules in the next issue of the Gazettee dated 29-6-67 placed at page 101 of C/F may be approved

92) The draft of the letter addressed to RD, Divisional Commissioners, Deputy Commissioners, Chief Engineers, placed at page 103 of C/F may be approved.

Secy P. WD)

PML 23/6/67
M. CHANNAPPA,
Dy. Secy. to Govt. P.W.D. (Irrn.)

(93) CR 23/6

(94) Done PML 28/6/67 Issued 24-6-67

M. G. S.

Subject: LEVY OF WATER RATES - AMENDMENTS. **File No.** PWD 10 LBW 67

WD 01050—GPB—8,00,000 13-12-65

Please see the Draft Notification at Page 103/c.f. This has been published in the Mysore Gazette dated 29-6-1967 (Flag-S). The last date for receiving objections or suggestions expired on 29th July 1967. No objections or suggestions have ~~not~~ been received in this connection. Therefore, the final Notification put up at Page 110/c.f. may be approved after it is scrutinised by the Law Dept.

95

704/080
1-8-67

31/7/67
M. CHANNAPPA,
Dy. Secy. to Govt. P.W.D. (Irrn.)

31/7/'67 L.D
Sri. M. A. Sri Krishna.
Jt Secy L.D.

Jt. Secy. L.D. (D)
No 1224 Date 31/7/67

1/8/67 96

Draft is revised.

Deputy Draftsman

M/s PWD

2/8
M. L. RAMASWAMI,
Dy. Draftsman & Ex-Officio
Dy. Secy., Law Dept.

OFFICE OF THE MINISTER FOR PUBLIC WORKS
No. 1916
Date 2 AUG 1967
BANGALORE.

SECRETARY TO GOVERNMENT
No. PWS 3336
Date 3 AUG 1967

SECRETARY TO GOVERNMENT
2 AUG 1967
DEPT.

97

The draft of the final water rate rules to be published, placed at pages 110-114 of C/F may please be permitted approved for final publication

2/8/67
M. CHANNAPPA,
Dy. Secy. to Govt. P.W.D. (Irrn.)

Secy P. WD
Minr P. WD

98 ca
2/8

99
V. Sankar 2/8

Secy. (P.W&E)

100 (100) Issue

3/8/67

4/8/67

38)
Subject: Levy of Water Rate — Arrangement —

File No.

M. G. S.

101) In the Note at Page 115/c.f. (Press Docket) the Director of Printing has been requested to supply 300 copies to the PWD Secretariat. But the Revenue Dept. wants 350 copies for being supplied to Taluk offices. Therefore the Director may be requested to supply 350 copies direct to the Revenue Dept under intimation to PWD. A draft is put up for appl. at Page 119/c.f.

8/8/67

(102) For favour of approval.
8/8/67
D/S (9)

(103) Issue
9/8
10/8/67

Issued
Dt. 11/8/67

Contd

(39

M.G. S.

Subject: LEVY OF MAINTENANCE CESS UNDER SECTION 44 OF THE MYSORE IRRIGATION ACT OF 1965 - CLARIFICATION RE:

File No.

[WD 01050—GPB—8,00,600 13-12-65

Letter No.IRR.31.C.2704/66-67, dated 14/18-3-1967
from the Divisional Commissioner, Mysore Dvn.

104

(1)
P.U.D.

Secy. R.D.
No 2276 Date 23/3

As desired by the Minister for Revenue, I spoke to the Secretary, P.W.D., on the subject of the letter of the Divisional Commissioner, Mysore Division, placed below. He informed me that they have not had time to examine the question as they were all busy on the debate on the Governor's Address. They had to consult the Law Department on the point raised. He informed me that he would let me know after about a week.

105

For information of Minister for Revenue.

B.S. Srikantiah
23/3/67

(B.S.Srikantiah),
SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT.

THE MINISTER FOR REVENUE
RF. 143/67
BANGALORE

106

MINISTER FOR REVENUE: This is very urgent as long as clear instructions are issued that Collecting officers will have to enforce the rates and collect the arrears as per the demands. May be done as expeditiously as possible

R.D. (E) Misc
No. 146 Date 27/3/67

27/3/67

S. R.D. 26/3/67

B.S. RACHAIAH
Secretary for Forests,
Government of Mysore

107 This may be marked to

P T O

40

Subject: Levy of maintenance Cells File No. RDE 146 MIC 67 M. G. S.
under Sec. 44 of the Mysore Irrign. Act-
of 1965-

PWD for taking needful action
with reference to para 3 supra

27/3/67.
P. W. D.)

28/3/67
V. NANJAIAH
Under Secy., Rev. Dept.

106) 107) 4
2y
1/4

825
Spl Cell

108) Please see the file no PWD 81 LBW 65 (Suppl) placed below. The main file no. (6)
PWD 81 LBW 65 regarding levy of maintenance cess u/s. 44 of the Mysore Irrigation Act, 1965 has been referred to LD on 10.11.1966 for legal opinion. The Law Dept. has been reminded on 30.3.1967 (vide flag 'A').
~~another reminder is issued since separately.~~
With this information this may be returned to RD

DNO. 2227/67

Srilingiah
The linked file must be returned before sending this file to RD.

RD)
25/4/67
Regd

110) 4
19/4
S. K.
Under Secy.

111) The file may be forwarded to PWD with a request to intimate the latest position of the case as stated in para 6 NF.
26.5.67. P. W. D.)

113) 4
27/4 26/5/67

3/4/67
1591

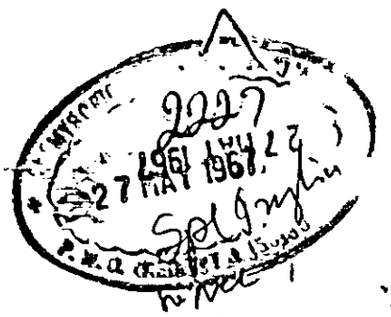
M. G. S. ✓

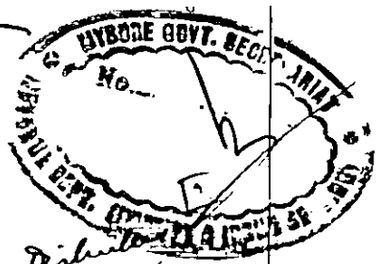
1591

Subject: Levy of maintenance cess File No. RDE 146 Misc 67

RDE 2768/67

WD 01050—GPB—8,00,000 13-12-65





Sir R

Dispatched (Renewed) 26/6

11) 114) Recently Cabinet has taken a decision to abolish the maintenance cess and to merge this levy in the water rates which have been revised & approved by the Cabinet. The Rev. Dept is requested to wait for some time more & to remind this Dept. in the first or second week of July 1967.

For perusal please referring to the Rev. Dept.

19/6/67

25/6.

D/S (I)

115) 26/6

116) 26/6/67

M. CHANNAPPA
Dy. Secy. to Govt. P.W.D. (Irrgn.)

RD)

117) pwd's note at para 11 supra may be seen with reference to paras 3 & 8 supra

For perusal 117)

30/6/67. 119)

29/6/67.

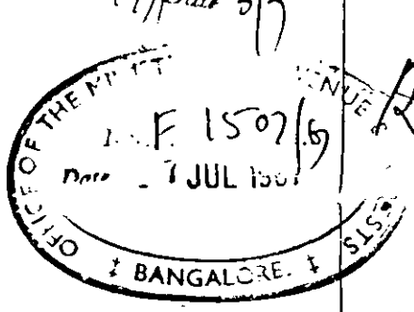
Dy. Sy., R.D.
No. 4784 Date 1/9/67

(D. M. VENKATARAMAIAH)
Dy. Secy. Rev. Dept.

Secy., R.D.
No. 477 Date 3/7

120) The Minister for Revenue may kindly see his remarks in para 8. The note of the PWD in para 11 is for perusal

B. S. Srikantiah
6/7/67
B. S. SRIKANTIAH,
Secy., Rev. Dept.



I. F. 1507/67

Minister for Revenue 121) The matter has been

42

Subject: Maintenance Levy — File No. — M. G. S.

PWD 10 LBW 67

Un necessarily delayed. The unless clear instructions are sent to Revenue officers, they will not book the demand. Hence for this P.W.D will please see that a definite reply is sent.

10/7/67

B. RACHAIAH
Minister for Revenue & Forests.

OFFICE OF THE MINISTER FOR PUBLIC WORKS
No. 1578
Date 10 JUL 1967
BANGALORE.

F. 1507/67

OF THE MINISTER FOR REVENUE & FORESTS
No. F. 1507/67
10/7/67

B/C to M. PWD)

122) 4) In view of the facts mentioned at para 11 we may apprise R.D. of the decision taken by the Cabinet.

Seen P.W.D)

4/7

Minister for ...

123) 5) P.S. Discuss urgently.

6/7/67

124) 7) Discussed. In view of the recent decision of the Cabinet the CE's Divisional Commissioners, D.C's. EE's may be informed of the discontinuance of the Levy of maintenance Cess. P.S put up a draft reply with Copy to all the above.

15/7/67

SECRETARIAT OF GOVERNMENT
No. DD 115
Date 12 JUL 1967
PUBLIC WORKS & ELEC. DEPT.

PWD (Cl. Irrgn).
No 348 Dated 17.7.67.

Sd/-

PWD 10 LBW 67 (PWD 22 LBW 67)

M.G.S. | Subject: Maintenance Cess — Abolition of | File No. (43

WD 01050—GPB—8,00,000 13-12-65

(125 22)

Pl. Secy: PWD.
No 5083 Date 19/7

A draft OM. is Put up for appl. at Page 3/CF. Ref. Para 21.

18/7/67 DS) (126/23) 19/7

(127) 23) The draft file circular Proposed to be issued to the Revenue and P.W.D Officers placed at Page 3 of C/F may please be perused and approved.

SECRETARIAT TO GOVERNMENT 3045 20 JUL 1967 PUBLIC WORKS & ELEC. DEPT.

If Secy P. WD
Secy P. WD
Min P. WD

(128) 19/7

18/7/67
M. CHANNAPPA
Dy. Secy. to Govt. P.W.D. (Irrgn.)

(129) 24)

The question of issue of the Official Memorandum as at page 3 CF should be dealt with in the file in which Decision has been taken to abolish Maintenance Cess and to revise Water Rates. It is incorrect to open number of files on the same subject which leads to only confusion. The draft of the O.M. suggested has been revised as dictated which will have to be shown to the Finance Department before issue.

Chandappa 19/7

22/7/(6)
CHANDAPPA PATEL,
Secy., P.W. & Secy. Coop.

MYSORE GOVT. SECRETARIAT No 4102 Date 22 JUL 1967 FINANCE DEPT.

DS FD (25) (26) (130) 22/7

(131) 22/7/67
M. CHANNAPPA
Dy. Secy. to Govt. P.W.D. (Irrgn.)

Subject: Maintenance Cess File No. PWD 2 LBW 67 M.G.S.

132) Decided. If Cabinet has taken a decision not to levy maintenance Cess F.D. has no remarks. It is not clear when exactly the Cabinet took a decision ie either the rates were revised recently or when enhanced rates were in force.

(27)

OFFICE OF THE BUDGET OFFICER & EX-OFFICIO JT. SECY.
No. 5973
Date 10-8-67
FIN. DEPT.

Secy. F.D.
No. 5006 Dated 10/8

133) The file in which the Cabinet have taken a decision not to levy maintenance Cess may kindly be made available.

(28)

Sri Channappa
D/S PWD

M. VEERARAJ URS.
Finance Secretary to Government

134) 10/8/67

135) Ref. Para 28. File No. PWD 10 LBW 67 relating to revised water rates is placed ~~enclosed~~ with the file. As regards abolition of maintenance Cess please see Paras 51 to 59 and also Paras 81 and 82 of the notes which contain Cabinet notes and the decision of the Cabinet thereon. This may be referred to

(29) @ particulars para 58 ante may always be perused.

FD. 10/8/67 Secy. Finance
D/S (O)

10/8/67
M. CHANNAPRA,
Dy. Secy. to Govt. P.W.D. (Irrgn.)

M. G. S. | Subject: Maintenance Cess — Abolition of — | File No. PWD 21 L 8(5)67

WD 01050—GPB—8,00,000 13-12-65

5006/F

136) Seen and returned. The draft O.M. proposed is in accordance with the decision of the Cabinet. F.D has no remarks. It may issue.

Secy P.W.D) 22/8

M. VEERARAJ URS,
Finance Secretary to Government

Secy PWD. 23/8
No 3916 Date
Spl Intgs

137) 23/8

137) May issue

24/8/67

28/8/67

This file was made available for reference to the Taxation Enquiry Committee and received back yesterday. This may be recorded as class 'B'

7/1/72

7/1/72

Government of Mysore

Mysore Government Secretariat,
Vidhana Soudha,

No.PWD 33 LBW 64. Bangalore, dated 28 Decr. 1965.

N O T I F I C A T I O N.

In exercise of the powers conferred by section 11 of the Mysore Irrigation(Levy of Betterment contribution and Water Rate)Act,1957 (Mysore Act 28 of 1957), the Government of Mysore hereby makes the following rules, the draft of the same having been previously published as required by sub-section (1)of the said section, in Notification No.PWD 33 LBW 64 dated the 8th November 1965 as G.S.R. 726 in part IV, Section 2-C(i) of the Mysore Gazette dated the 11th November 1965, namely:-

The Mysore Irrigation (Levy of Water Rates) Rules,1965.

1. Title and Commencement:- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates) Rules, 1965.

2(2) They shall be deemed to have come into force on the first day of July,1965.

2. Definitions:- In these rules, unless the context otherwise requires, -

(1) "Act" means the Mysore Irrigation (Levy of Betterment contribution and Water Rate) Act,1957;

(2) "Assistant Commissioner" means the Assistant Commissioner in charge of the Revenue Sub-Division of the area in which the land in respect of which water rate leviable is situated;

(3) "revenue year" means the year commencing on the first day of July;

(4) "section " means a section of the Act;

(5) "Tahsildar" means the Tahsildar entrusted with the land revenue administration of the taluk in which the land in respect of which water rate is leviable is situated.

3. Levy of Water rates.-(1)Subject to the provisions of sub-rules (2),(3) and (4),-

(a) in respect of water supplied, made available or used from the irrigation works specified in Parts I and II of the Table below, for growing the different crops specified in column (1)of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown in any revenue year, be levied:-

TABLE

PART I

Lands irrigated by any irrigation work capable of

... CONTD.

irrigating not more than one hundred acres of land.

Crop (1)	Water Rate per acre (2)
(i) For sugarcane crop ...	Thirty rupees.
(ii) For paddy crop ...	Twelve rupees and fifty paise.
(iii) For a crop of chillies, cotton, gingelly, onion, potato, sweet potato or tobacco ...	Seven rupees and fifty paise.
(iv) For a crop of millet or pulses ...	Five rupees.
(v) Any crop other than those specified in items (i), (ii) (iii) or (iv)	Three rupees.

PART II

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water Rates per acre (2)
(i) For sugarcane crop-	
(a) to be harvested after a period of sixteen to eighteen months	Sixty rupees.
(b) to be harvested after a period of eleven months.	Forty-five rupees.
(ii) For paddy crop	Eighteen rupees.
(iii) For a crop of chillies, cotton, gingelly, onion, potato, sweet potato or tobacco	Fifteen rupees.
(iv) For a crop of millet or pulses	Seven rupees and fifty paise
(v) Any crop other than those specified in items (i), (ii), (iii) and (iv)	Four rupees.

(b) in respect of water supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of lands on which arecanut, plantain, betel leaves or any fruit is grown, water rates at the rates specified in the corresponding entry of column (2) of the said Table shall in respect of each revenue year, be levied:-

TABLE.

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees and fifty paise.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees.

contd.....

2. When water is supplied,made available or used from the irrigation works specified in column (1) of the Table below,for the irrigation of any land on which paddy crop is grown twice in any revenue year, water rates at the rates specified in the corresponding entry of column (2) of the said Table,shall be levied:-

TABLE

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Eighteen rupees and seventy-five paise.
2. Irrigation works capable of irrigating more than one hundred acres of land.	Twenty rupees.

(3) Where water supplied or made available cannot be used for irrigation of any land without baling or using mechanical contrivances installed at the cost of the holder of the land,and the water supplied or made available is used for irrigation after such baling or using of mechanical contrivances,water rate shall be levied at one-half of the rates specified in sub-rules (1) and (2).

(4)Where water is supplied,made available or used for irrigation of any land which had not been irrigated by water before the coming into force of these rules,water rates shall be levied at the following concessional rates during the first three years of irrigation of such lands namely:-

(i) for the first year .... No water rate shall be leviable;

(ii) for the second year .... One-fourth of the rates specified in sub-rules(1) and(2);

(iii) for the third year .... One half of the water rates specified in sub-rules(1) and(2).

4. Determination of water rates.- (1) At the end of the each crop season or revenue year,as the case may be,the Tahsildar shall after such enquiry as he deems fit and after satisfying himself that water was supplied, made available or used for the irrigation of any land,prepare a statement of water rates payable by each landholder.

(2)After the preparation of the statement of water rates payable by each landholder under sub-rule (1)the Tahsildar shall issue a notice of demand to the person liable to pay the water rate and cause such notice to be served on such person by tendering or delivering it to such person or his agent, if any, or if he or his agent cannot be found by tendering or delivering it, to an adult member of his family residing with him, or by affixing a copy thereof on his place of residence, or by sending the same by registered post to his last known place of residence.

(3)Any person objecting to the levy of water rate as specified in the notice of demand served on him may,within thirty days from the date of service of such notice appeal to the Assistant Commissioner who shall after giving the appellant an opportunity of being heard, pass such orders on the

....contd.

5

appeal as he thinks fit.

Provided that the Assistant Commissioner may admit an appeal preferred after the period of thirty days if he is satisfied that the appellant had sufficient cause for not preferring the appeal within that period.

4. The amount of water rate specified in the notice of demand served under sub-rule (2) shall be paid within fifteen days from the date of service of such notice and where an appeal has been preferred under sub-rule(3) against such notice of demand, the amount of water rate payable in accordance with the decision of such appeal, shall be paid within fifteen days from the date of the appellate order.

5. Repeal and savings.- The provisions made for the levy of water rate, water cess or irrigation cess in respect of any lands under any enactment repealed by Section 12 are hereby repealed.

Provided that the said repeal shall not affect the levy and collection of such water rate, water cess or irrigation cess payable under the said provisions before the commencement of these rules and such levy and collection may be made as if the said provisions had not been repealed by these rules.

By Order and in the name of the
Governor of Mysore,

Sd/

(M. Channappa)
Deputy Secretary to Government,
Public Works Department (Irrigation).

To:- The Compiler, Mysore Gazette, for publication in the next issue of the Gazette.
All the Divisional Commissioners;
All the Chief Engineers (Irrigation Zones);
All the Superintending Engineers;
All the Executive Engineers;
All the Deputy Commissioners;

Copy to:-
Revenue Department;
Weekly Gazette;
Section Guard File.

ncj/d.281265.

PUBLIC WORKS AND ELECTRICITY SECRETARIAT.

NOTIFICATION.

Bangalore, dated the 22nd September 1966.

G. S. R. 1157.—In exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 (Mysore Act 28 of 1957), the Government of Mysore hereby makes the following rules, the draft of the same having been previously published as required by sub-section (1) of the said Section, in Notification No. PWD 33-LBW 64 dated the 31st May 1966 as G. S. R. No. 971 in Part-IV, Section 2-C(i) of the *Mysore Gazette*, dated the 9th June 1966 namely,—

THE MYSORE IRRIGATION (LEVY OF WATER RATES) (AMENDMENT) RULES, 1966.

1. Title and commencement.—(1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (Amendment) Rules, 1966.

(2) They shall be deemed to have come into force on the first day of April 1966

2. Amendment of Rule 3.—In rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, (herein after referred to as the principal rules),

(1) in sub-rule (1)(a) of the principal rules, the expression "in any Revenue Year" at the end may be deleted,

(a) for the Table in clause (a), the following Table shall be substituted, namely.—

TABLE

PART-I.

Lands irrigated by any irrigation work capable of irrigating not more than one hundred acres of land.

Crop (1)	Water Rate per acre (2)
(i) For sugarcane crop	Forty rupees.
(ii) For Paddy Crop	Sixten rupees.
(iii) For a crop of chilies, cotton, gingelly, groundnut onion, potato, sweet-potato or tobacco	Ten rupees.
(iv) For a crop of millet or pulses.	Six rupees.
(v) Any crop other than those specified in items (i), (ii), (iii) or (iv).	Four rupees.

PART-II

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water Rate per acre (2)
(i) For sugarcane crop	
(a) to be harvested after a period of sixteen to eighteen months.	Eighty rupees.
(b) To be harvested after a period of eleven months.	Sixty rupees.
(ii) For paddy crop	Twenty four ruppes.
(iii) For a crop of chillies, cotton, gingelly, groundnut onion, potato sweet potato or tobacco.	Twenty rupees.
(iv) For a crop of millet or pulses.	Ten rupees.
(v) Any crop other than those specified in items (i), (ii), (iii) and (iv).	Five rupees.

(b) in clause (b), after the word 'areca nut' the word 'Pepper' shall be inserted, and for the Table, the following Table shall be substituted, namely :—

TABLE

Irrigation work (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Sixteen rupees.
2. Irrigation work capable of irrigating more than one hundred acres of land.	Twenty six rupees.

(2) In sub-rule (2) of the Principal rules the word "for the second crop" shall be added at the end, and for the Table, the following Table shall be substituted, namely :—

TABLE

Irrigation work (1)	Rate Per acre (2)
1. Irrigation work capable of irrigating more than one hundred acres of land.	Eight rupees.
2. Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees.

3. **Amendment of rule 4** .—In sub-rule (1) of rule 4 of the principal rules, for the words "At the end of each crop season", the words "In respect of each crop" shall be substituted.

4. **Saving** :—Notwithstanding the amendments made by rule 2 water rates at the rates specified in rule 3 of the Principal rules as in force before the said amendments shall be levied and collected in respect of the period from 1st July 1965 to 31st March 1966.

[No. PWD 33 LBW 66.]

By Order and in the name of the Governor of Mysore,

280 M. CHANNAPPA, *Deputy Secy.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Blore.

30-9-66

DRAFT

D.O.No.PWD 10 Cbw 67

Dear Shri .....,

Sub:- Irrigation - Levy of Water Rates - Information -

.....

The Government of Mysore are considering the question of ~~and~~ rationalisation of the Water Rates in force in ~~various parts of~~ the State leviable ~~to~~ on different crops grown under different sources of irrigation.

I shall be grateful if you could kindly furnish us with the information regarding the Water Rates/- Wet Assessment , obtaining in your State in respect of various crops grown under different sources of irrigation.

Yours sincerely,

Secretary to Govt.,
P.W.&.E. Dept.

1. Shri A. Krishnaswamy. I.A.S.
   Secy. to Govt. PWD,
   Govt. of A.P. Hyderabad.
2. Shri G.V. Narasimha Rao
   Addl. Secy. to Govt. PWD
   Govt. of A.P. Hyderabad.
3. Shri R. Tirumalai. I.A.S.
   ~~Govt~~ Secy. to Govt. PWD, Govt. of Madras
   Madras.
4. Shri N.G.K. Murthy.
   Secy. ~~to Govt. PWD~~, Irrigation & Power.
   Govt. of Maharashtra.
   Sachivalaya.
   Bombay.

Extract from the Proceedings of the Seventh Meeting of the Council of Ministers held at Bangalore on 6th April 1967.

Subject:- C.84/67.

Stay of collection of Water Rates, etc.,

DECISION OF CABINET.

After discussion, it was decided that while collection of land revenue and surcharge thereon should continue as before, the collection of water rate and cesses thereon in respect of the period 1965-66 and onwards might be stayed for the present.

2) It was also decided that in respect of Irrigated lands for which contribution had already been levied in the past, collection of betterment contribution should not be made.

3) The collection of maintenance cess at the rate of Rs.4/- (Four) per acre may be continued as at present.

4) All the questions regarding water rate might be got re-examined by a Cabinet Sub-Committee of the following Ministers and their recommendations put up for consideration of the Cabinet:-

1. Minister for Public Works.
2. Minister for Revenue & Forest.
3. Minister for Finance & Planning.
4. Minister for Health & Housing.
5. Minister for Animal Husbandry.
6. Minister for Education.

5) The Secretary to Government, Public Works Department will be the Convener of the above Sub-Committee.

Sd/- S.Nijalingappa,
6-4-67
CHIEF MINISTER.

(Copy)

No.PWD 10 LBW 67. Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, Dated, 7th April 1967.

Copy of the above is forwarded to the Revenue Secretary, Govt. of Mysore, for information and to take further action regarding Points 1, 2 and 3 of the Extracts from the Proceedings.

issued on 7/4/67

7/4/67

(M. Channappa)
Deputy Secretary to Government,
P.W.D. (Irrigation).

R.Tirumalai,I.A.S.,
Secretary to Government.

Public Works Department,
Fort St.George,
Madras-9.

SECRETARY TO GOVERNMENT D. No. 279 15 APR 1967 PUBLIC WORKS DEPT.

D.O.No.32255/N2/67-1. Dated:13.4.67.

Dear Sri Chandappa Patel,

Sub: IRRIGATION - Information regarding levy of water rates in Madras State.

Ref: Your D.O.No.P.W.D.10 LBW 67,dated 6.4.67.

I acknowledge the receipt of your D.O. cited and to state that the information desired therein will be furnished separately by the Revenue Department of this Government as the subject is dealt with in that Department.

Yours sincerely,

(R.Tirumalai) 13.4.67

To
Sri Chandappa Patel,
Secretary to the Government of Mysore,
P.W. and Electrical Department,
Bangalore.

A.Krishnaswami, IAS.,
Spl.Secretary to Government

Public Works Department
Hyderabad.

D.O.Lr.No.1180-N2/67-1. Dated: 14th April 1967.

Dear Sri Chandappa Patel

Sub:- Irrigation - Levy of water rates - Information.
Ref:-Your D.O.Lr.No.PWD 10 LBW 67 dated 6-4-1967.

The required information will be furnished to you shortly by the Revenue Department, who deal with this matter.

With kind regards,

Your

(A. KRISHNASWAMI)

Sri Chandappa Patel, I.A.S.,
Secretary, Public Works & Electricity Dept.,
Govt.of Mysore, BANGALORE.

Secy. PWD. 17/4.
D.O. No 282 Date
S/M 17/4/67

MYSORE GOVT SECRETT
No. 9137
17 APR 1967
D. (RECEIPT & ISS

No. Pwd-10-CBW67

Draft

To

The Secy. to the Govt. of Andhra Pradesh,
Revenue Dept.
Hyderabad

Sir,

Sub: Irrigation – Levy of water rates.
Information

I am directed to invite your reference to D.O. No 1180-N2/67-1 dated 14.4.1967 from Sri A. Krishnaswami, Spl. Secretary to Govt. of Andhra Pradesh, P.W. Dept. addressed to the Secretary to Govt. of Mysore, P.W. Dept. on the subject mentioned above and to request you to kindly furnish the information regarding the water rates / Wet Assessment obtaining in your State in respect of various crops grown under different sources of irrigation

Yr.

26/4/67

D/S

(15)

Subject: Irrigation - Levy of water
Rate - misfeasance

To

The Secretary to the Govt.
of Maharashtra
Irrigation & power
Deptt. Bombay

Sir;

I am directed to refer to your letter no. PRD
10 1067 dt 6.4.1967 addressed
to you on the above subject and
to say that your circular to Govt.
to misfeasance regarding Re-
bate-Rates was assessment
obtaining in your State in respect
of various crops from various
different sources of irrigation
at an early date.

Yrs
26/4/67
DSO
(Mumbai)

GOVERNMENT OF MYSORE

No. PWD.10 LBW.67

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 26 April 1967.

FROM

The *Secretary to the Government of Mysore,*
P.W.& Electricity Department,
Bangalore.

To

The Secretary to the Govt. of Andhra Pradesh,
Revenue Department,
HYDERABAD.

Sir,

Sub:-Irrigation -Levy of water rates - Information.

I am directed to invite your reference to D.O.No.1180-M2/67-1 dated 14.4.1967 from Sri A.Krishnaswami, Special Secretary to Govt. of Andhra Pradesh, Public Works Department, addressed to the Secretary to Govt. of Mysore, Public Works Department, on the subject mentioned above and to request you to kindly furnish the information regarding the water rates, wet Assessment obtaining in your State in respect of various crops grown under different sources of irrigation.

Issued
M2 26-4-67

Yours faithfully,

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT,
P.W.D.(IRRIGATION)

GOVERNMENT OF MYSORE

No. PWD. 10 LBW.67

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore, 11 April 1967.

FROM

The *Secretary to the Government of Mysore,*
P.W.& Electricity Department,
Bangalore.

To

The Secretary to the Govt. of Maharashtra,
Irrigation & Power,
Sachivalaya,
BOMBAY.

Sir,

Sub:-Irrigation - Levy of water Rates - Information.

--

I am directed to invite reference to D.O.letter No. PWD.10 LBW 67 dated 6.4.1967 addressed to you on the above subject and to request you kindly to furnish the information regarding the water rates/wet assessment obtaining in your State in respect of various crops grown under different sources of irrigation at an early date.

Issued
Dated 26-4-67

Yours faithfully,

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVT.
P.W.D.(IRRIGATION)

M. RAGHUPATHY IAS
DEPUTY SECRETARY TO
GOVERNMENT,
REVENUE DEPARTMENT.

FORT ST. GEORGE
MADRAS-9
dated 22-4-67

D.O.No.31590 H2/67-1

Dear Sri Chandappa Patel,

ASSESSMENT - Rates of irrigation from various Govt.sources - Particulars - Furnished.

*****

Your DO No PWD 10 LBW 67 dt 6.4.67 addressed to Secy.to Govt.,of Madras,Public Works Department.
Shri Tirumalai's DO No 32255 N2/67-1 PWD dated 13-4-67.

I am to state that the Madras Irrigation Cess Act, 1865(Madras Act VII of 1865) provides for the levy of water cess in this State, that special rates of water cess have been fixed for certain projects and that under the Madras Additional Assessment and Addl. Water-Cess Act,1963, the assessment and water cess have been increased as follows:-

ASSESSMENT

1.Wet lands under first or second class sources of irrigation.	Increased by 45% subject to certain ceilings.
2.Wet lands under third, fourth or fifth class source of irrigation.	Increased by 30% subject to certain ceilings.

WATER CESS

1.Lands under first or second class source of irrigation.	increased by 75% of the water cess subject to certain ceilings.
2. Lands under third,fourth, fifth class source of irrigation.	increased by 37½ of water cess subject to certain ceilings.

2. A copy of each of the statements showing the standard rates of water cess levied under Madras Act VII of 1865 and

p.t.o

The main file has been submitted to DS. on 24.4.1967.

such special rates now in force in respect of the various projects in this State is enclosed.

Yours sincerely,

M Raghupathy

(M. RAGHUPATHY) 22/4/67

Sri Chandappa Patel,
Secretary to Govt.of Mysore,
P.W.& Electrical Dept.
BANGALORE(w.e.)

*****

RULES FOR THE LEVY OF WATERCESS IN FORCE IN THE MADRAS STATE (MADRAD ACT VII OF 1865).

....

Section A.

Standard scale of water-cess on Dry lands.

Description of crop.	Charge per acre First class source	Second Class source.
		Rs. As P
(a) Crops which ordinarily remain on the ground for more than six months.	Rs.6./-	Rs.4.8.0
(b) All other crops	Rs.6/-	Rs.4.8.0

First crop.	Second crop.	First class source			Second class source		
		First crop.	IInd crop	Total charge	First crop.	Second crop.	Total charge
		Rs A P	Rs A P	Rs A P	Rs A P	Rs A P	Rs A P
Wet ...	Wet ...	4.0.0.	2.0.0.	6.0.0	3.0.0.	1.8.0	4.8.0
do. ...	Dry, systematically irrigated	4.0.0	1.8.0	5.8.0	3.0.0	1.2.0	4.2.0
do. ...	Dry occasionally irrigated	4.0.0	1.0.0	5.0.0	3.0.0	0.12.0	3.12.0
Dry systematically irrigated.	Wet ...	3.0.0	2.8.0.	5.8.0	2.4.0	1.14.0	4.2.0
do. ..	Dry systematically irrigated	3.0.0	2.0.0	5.0.0	2.4.0	1.8.0	3.12.0
do. ..	Dry, occasionally irrigated	3.0.0	1.8.0	4.8.0	2.4.0	1.2.0	3.6.0
Dry, occasionally irrigated	Wet ...	2.0.0	3.0.0	5.0.0	1.8.0	2.4.0	3.12.0
do. ..	Dry systematically irrigated	2.0.0.	2.8.0	4.8.0	1.8.0	1.14.0	3.6.0
do. ..	Dry occasionally irrigated	2.0.0	2.0.0	4.0.0	1.8.0	1.8.0	3.0.0

	First class source	Second class source
(c) Third crop:-		
If wet	Rs.2.0.0	Rs.1.8.0
If dry, whether systematically or occasionally irrigated ...	Rs.1.0.0	Rs.0.12.0

/True copy/

STATEMENT SHOWING THE RATES OF ASSESSMENT AND WATERCESS AND THE CONCESSIONAL WATER RATES FIXED FOR THE PROJECTS IN THE STATE.

--oOo--

Name of the Project. (1)	Rate for wet lands. (2)	Rate of water cess for dry lands. (3)	Concessional rates allowed. (4)
1. Sathanur Reservoir Project.	(1) Single wet crop wet lands Rs.15/- per acre (2) Compounded ~~Double crop wet lands~~ D.C. wet ~~crop~~ Rs.20 per acre (3) ~~D.C. wet crop~~ Double crop wet lands Rs.22.50.	1st crop :Rs.15 per acre IInd crop. Rs.7.50 per acre IIIrd crop. Rs.3.75 ,,	(1) First year of irrigation 59-60: Rs.4/- per acre (2) Second year irrigation Rs.6/- per acre. (3) Third year of irrigation Rs.10/- per acre. (4) Fourth year of irrigation ~~Rs.15/-~~ and afterwards Rs15/- per acre.
2.(a) New Kattalai High Level Canal. (Tiruchi District)	Tanks fed by the channel have been re-classified as class I source for the purpose of levy of wet assessment	1st crop Rs.10 per acre IInd crop Rs.5/- ,, IIIrd crop Rs.2.50 ,, Duffasal crop Rs.15/- ,,	Water cess at half the rates to be levied for the first five years from F.1369. From F. 1374 full rates are to be levied.
(b) New Kattalai high Level Canal (Thanjavur District)	Tanks fed by the canal have been ordered to be treated as I class source for the purpose of levy of wet assessment.	1st irrigated crop Rs.10/- 2nd irrigated crop Rs.5/- 3rd irrigated crop Rs.2.50/- Duffasal crop Rs.15/- per acre	
3. Pullambadi	Tanks fed by canal. Pullambadi canal have been reclassified as class II source for purpose of levy of wet assessment.	1st crop Rs.10/- 2nd crop Rs.5/- 3rd crop Rs.2.50/ Duffasal crop Rs.15/-	Water cess at half the rates to be levied for the 1st five years from F. 1369. From F.1374 full rate are to be levied.
4. Parambikulam-Aliyar Project.		wet crops Rs.25. per acre dry crops Rs.15/per acre.	1/3rd rate in the first year of irrigation. 2/3rd rate in the seco year of irrigation, an Full rates from F. 3rd year onwards.

(p.t.o.)

(1)	(2)	(3)	(4)
5 Lower Bhavani Project		Cotton, Yams, Caster, Plantain, Coconut, Fruit trees — Rs.20/- per acre.	
6 Amaravathy Reservoir Project.		Paddy, Chillies, Tobacco, Onion, Sweet potato, Turmeric, Tapioca, Vegetables — Rs.15/- per acre.	1/2 of the rates for the first year of issue of permit, 3/4 rates in the second year and full rates thereafter.
		Groundnut, Gingelly — Rs.10/- per acre	
		Millets, Pulses, Fodder crops — Rs.7.50 per acre.	
7.(a). Vaigai Reservoir Project. (Madurai District)	Existing wet rates increased Rs.10/- per acre (Revised rates are Rs.14.37 per acre and Rs.15.62 per acre).	1st wet crop Rs.10 per acre 2nd wet crop Rs.10. ,, Sugarcane, Turmeric & crops standing for more than 6 months. — Rs.20/- per acre. IIIrd crop Rs.10 per acre 1st dry crop.Rs.10. ,, (systematically irrigated) IInd dry crop Rs.10/- per acre I,II,& III dry crops occasionally irrigated ..Rs.5/- per acre.	During the first year no charge is levied for water use to convert dry lands into wet unless a crop raised is grown. For the 1st crop raised after conversion only half the rates shall be charged.
(b) Vaigai Reservoir Project (Ramanathapuram Dist.)	Existing wet rates increased by Rs.5/- per acre (Revised rates Rs.8.37, Rs.9/- Rs.10/- and Rs.11.75 per acre).	1st wet crop Rs.5/- 2nd wet crop Rs.5/- 3rd wet crop Rs.5/- Dry crops I,II& III : Rs.5 per acre Sugarcane, Betelvine & Crops standing for more than 6 months. — Rs.10/- per acre	During the 1st year no charge is levied for water used for to convert dry lands into wet lands unless a crop is grown For the 1st crop raised after conversion only half rates shall be charged.
8 Manimuthar Project.	All tanks have been provisionally ordered to be treated as Class I sources for levy of wet assessment.	Tambaraparani delta area Rs.12.50 per acre Non-delta area Rs.10/- per acre.	

(1)	(2)	(3)	(4)
9. Mettur canals (Main canal or Distributaries)	...	Tobacco, Turmeric, Tapioca, Chillies, Onions, Sweet Potatoes	Rs.15/- per acre.
		Paddy, Vegetables, Castor, Plantains, Cocenut, Yam, Cotton, Fruit trees	Rs.15/- p.a. per acre / — / Rs.20/- p.a. per acre
		Millets, Pulses, Fodder crop including sunhemp.	Rs.7.50 per acre.
		Groundnut, Gingelly	Rs.10/- per acre.
			Half the rate to be charged for F.1364 if the irrigation was for the 1st time in the case of right bank canal and for Fasli 1366, 1367 and 1368 if the irrigation was for the first time in the case of left bank canal.
10 Vidur Reservoir Project (South Arcot)	Existing rates have been increased by Rs.10/- per acre	1st crop.	Rs.10/- per acre
		2nd crop	Rs.5/- ,,
		3rd crop	Rs.2.50 ,,
		Duffasal crop	Rs.15/- ,,
11. Krishnagiri Reservoir Project (Salem)	Single crop wet lands per acre	1st crop	Rs.15/- per acre.
		2nd crop	Rs.7.50 ,,
		3rd crop.	Rs.3.75 ,,
	Compounded D.C. wet lands.		Rs.20/- p.a.
	Double crop wet lands		Rs.22.50 p.a.
12. Noyyar Irrigation Project.	...	Same crop-war rates as applicable to Lower Bhavani Project.	One third of the above rates will be charged for first year of irrigation; Two-thirds of the rates for the 2nd year and full rates thereafter.
			Where a second crop is raised on the land on which a first irrigated dry or wet crop has already been raised in the same year, the rate of the water cess for the said second crop shall be half the rate appropriate for that crop, provided that the 1st and 2nd crops be of the same description.

624)

Name of the Project. (1)	Rate for wet lands (2)	Rate of water cess for dry lands (3)	Concessional rates allowed. (4)
13. Periyar System. ...	1. For a 1st wet crop ...	Rs.5/-	
	2. For a 2nd wet crop	Rs.3/-	
	3. For sugarcane, betel, turmeric, elephant yam or other crop remaining on the ground for the time of two wet crops, that is, for more than 6 months	Rs.8/-	
	4. For a 3rd wet crop	Rs.2/-	
	For a 1st dry crop systematically irrigated.	Rs.5/-	
	5. For a 2nd dry crop systematically irrigated.	Rs.3/-	
	6. For a 1st or 2nd dry crop occasionally irrigated	Rs.2.50	
	7. For a 3rd dry crop irrigated	Rs.1.0.0	
	8. Special crops:-		
	a) Onions, b) Sweet potatoes, c) Chillies, d) Tobacco	The same as for a dry crop systematically irrigated (item 5 above)	Rs.5/- ...
	B. Mango topes coconut topes and ther topo plantations:-		
	(i) If they take water for a number of months in the year sufficient for raising two wet crops, that is; for more than six months	Rs.8/-	
	(ii) In other cases	...Rs.5/-	
14. Cauvery Mettuer Project. ...	Ist irrigated crop not being a duffasal crop.	...Rs.10. per acre	
	IInd irrigated crop not being a dufasal crop.	Rs.6/- ,,	
	3rd irrigated crop	Rs.2.50 ,,	
	Irrigated duffasal crop	Rs.15/- ,,	

/True Copy/

S/C

romy/114

Superintendent.

The different levies connected with Irrigation Works are:-

(1) Betterment Contribution.
(2) Water Rate.
(3) Maintenance Cess.

(1) Betterment Contribution - is the amount to be paid (in certain specified instalments) by the beneficiaries whose lands can be improved or bettered by the supply of water from an Irrigation work. The value of the lands gets appreciated owing to provision of facility of water supply to these lands Hence, the owners of the lands have to pay some contribution which represents either in part or in full which is unearned income owing to appreciation of the cost of the lands. The Betterment Levy goes in full to the reduction of the capital cost of the irrigation work.

(2) Water Rate - is the amount to be paid by the beneficiaries every year for the quantity of water made available or used by them for raising certain kind of crops. This water rate generally goes to meet the interest charges on the capital cost borne by the Govt.

(3) Maintenance Cess - is the amount to be paid by the beneficiaries every year towards the Maintenance charges of the Head works, Canals and Distribution system.

when the Betterment Levy and water rate act 1956 came in to force ? (ie 1st Sept 1956.)

The question of Levy of water rate was considered at the meeting of the Cabinet held on 21st September 1960 wherein the following water rates were proposed.

(1) In the case of Minor Tanks irrigating less than 50 acres a uniform levy of Rs.10 per acre;

(2) In case of all other projects as under:

a) Perennial including Sugarcane Rs.75/- per acre

b) Paddy Rs.30 per acre;

c) Semi Dry or irrigated Rs.15/- per acre

d) Manurial crops Rs.5/- per acre
(During the Hot weather season i.e., April & July double the above rates)
But a decision thereon was deferred

pending collection of necessary statistics regarding contribution Levy collected.

After collection of necessary statistics this matter was considered at the meeting of the Council of Ministers held on 16-9-1963 and the Chief Secretary had recorded on the file as follows:-

> "After discussion it was decided that the Minister for Agriculture be requested to go into all aspects of the case and put up a note in regard to the various suggestions under consideration. If necessary he may convene meetings with other Ministers and officials and have a thorough discussion on the implications in all their bearings.
>
> For needful."

Accordingly a detailed note prepared by the Minister for Agriculture was placed before the Chief Minister on 16.9.63 for his consideration. The Chief Minister was pleased to minute on 24.9.63 as follows:-

> "This may be considered by the Sub committee of the Cabinmet consisting of the Minister for Agriculture, Minister for Finance, and the Minister for Labour and the views of the Sub committee placed before the Cabinet"

Subsequently the Chief Minister was pleased to order that the Minister for Revenue may also be included as a Member of the Sub committee.

A meeting of this Cabinet Sub committee was fixed on 18.11.1963. Meanwhile it was desired by the Cabinet that this subject should be discussed at a Special Cabinet Meeting to be held on Sunday the 17th November 1963.

The matter was considered by the Cabinet on 17.11.63 and the following decision was taken.

> "Taking all factors into account the Cabinet decided that the water rates shall be as follows:-

C.292/63

Extract from the proceedings of the Fifty- Second Meeting of the Council of Ministers held at Bangalore on 17th November, 1963.

SUBJECT:-C.292/63

L E V Y O F W A T E R R A T E S

DECISION OF CABINET.

39) Taking all factors into account, the Cabinet decided that the Water Rates shall be as follows:-

(1) Under Major and Medium Irrigation Projects.

(a)	Perennial Wet including Sugarcane.	Rs.70/- per acre
(b)	Single wet (Paddy)	Rs.20/- "
(c)	Dry cum Wet	Rs.10/- "
(d)	Green manure crops	Rs. 5/- "

(2) Minor Irrigation from Tanks.

(a)	Tanks with an achkat upto 100 acres.	Rs.10/- per acre
(b)	Tanks with an achkat from 100 to 250 acres	Rs.12.5 "
(c)	Tanks with an achkat from 250 to 500 acres.	Rs.15/- "
(d)	Tanks with an achkat from 500 to 1000 acres.	Rs.17.5 "

(e) Tanks of 1,000 acres achkat and above will be treated for purposes of water rates as reconstituting medium irrigation.

Sd. S.NIJALINGAPPA 17-11-63
CHIEF MINISTER

A copy of orders issued on the decision, may please be sent to the Cabinet Section, for record).

Secy., P.W.D.

"EXTRACT"

Sd.
Deputy Secretary to Govt.
G.A.D.

-3. On being represented by the then Minister for Municipal Administration on 4-3-1964 to reconsider the question of water rates on the lines comparable with the rates prevailing in Madras and Andhra Pradesh the subject was again informally discussed in the Cabinet meeting held on 15.4.64 and the Chief Minister ordered as follows:-

> "I have looked at the water rates. The only thing which may look to be on the High side so far as water rates are concerned is the rate of Rs.70/- for Sugarcane."

The Law Department then proposed the revised draft rules incopporating the decision of the Cabinet regarding levy of water rates under Major and Medium projects and also under Minor Irrigation Tanks. The Law Department also pointed out the difficulty in fixing water rates under minor Irrigation tanks without reference to crops grown. In order to overcome this difficulty, it was considered that the water rates should be based on the crops grown and the purpose for which water is made available from the minor irrigation tanks.

grown and the purpose for which water is made available from the minor irrigation tanks.

A Meeting was held on 9-7-1964 in the Chambers of the P.W.D. Minister. Again, the matter was discussed with the Revenue Secretary on 10-7-1964 the P.W.D. Secretary's Chambers. During these Meetings it was considered that the basis for levy of water rate should be the same as that for the levy of Special Betterment Contribution. As a result of these discussions, the draft rules had to be further revised with the approval of the Cabinet. During the discussion of the draft rules, it came to the notice that the decision of the Cabinet in respect of levy of water rates on lands irrigated by Minor Irrigation works was in variance with Section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, as amended by Act No.8 of 1964. It was felt that the water rates should be levied on the basis of the purpose for which water is used or made available and on the basis of the crops grown or may be grown, but water rate cannot have any relation with the area commanded by a particular tank. Another point that came to light was that the Cabinet decision did not cover the crops like Areca, Betelnut, Plantain, etc., Again, the matter was ~~submitted to~~ crops before the Cabinet for consideration of the proposals which were as under:-

Vide para 2.189

(A) In respect of water supplied, made available or used from any major irrigation work or medium irrigation work:-

i) for not less than eight months in a year.

(a) for growing sugarcane. .. Rs.70/- per acre.
(b) for growing other crops. .. Rs.50/- -do-

(Contd..3)

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ii) for not less than two months but less than eight months in a year.

(a) for growing wet crops. Rs.20/-per year
(b) for growing dry-cum-wet crops. Rs.10/- -do-

iii) for less than two months in a year. Rs.5/- -do-

(B) In respect of water supplied, made available or used from any Minor Irrigation Works:-

(i) for not less than eight months in a year.

(a) for growing sugarcane Rs.30/- per acre
(b) for growing other crops. Rs.21/- -do-

(ii) for not less than two months but for less than eight months in a year -

(a) for growing wet crops. Rs.12-50 per acre.

(b) for growing dry-cum-wet crops. Rs. 6-00 "

(iii) for less than two months in a year.

Rs.2/- ".

In the Cabinet Meeting held on 24-9-1964 decision was taken as follows:-

"Accepted except that the last item may be Rs.4/- instead of Rs.2/- and that where there is consolidated wet assessment, it will be replaced by the corresponding dry assessment plus the water rate now approved"

Vide para 9 of C.A/N

The draft rules were published in the Gazette dated 1-10-1964 calling for objections, if any, from the aggrieved persons. In response to it, certain objections were received. After incorporating the modifications, the rules were referred to Law Department for remarks. The Law Dept. in turn, obtained the views of the Advocate-General According to the Advocate-General, Govt. cannot prescribe different rates, when water is supplied from different irrigation works major irrigation work, or medium irrigation work or a minor irrigation work. The water rates shall be charged or levied for water used from a work belonging to Govt., whether such work is classified as major, medium or minor.

p...o.

In the meantime, the Chief Minister assured on the floor of the ~~House~~ (Assembly ~~dated 22-4-1965~~) that water rate ~~for one seasonal crops of 3 to 4 months period would be Rs.5/-, and for 2 seasonal crops it would be Rs.10/-,~~ will be reconsidered and different rates will be fixed. in respect of minor irrigation. In respect of major irrigation, the Chief Minister also assured that for perennial crops the water rates would be Rs.25/-. He pointed out that the water rate would be generally between Rs.5/- and Rs.25/-. He also assured the House that while finalising the water rates, the water rates obtaining in the neighbouring States would also be taken into consideration.

After collecting information from various neighbouring States, the matter was once again referred to the Cabinet ~~on 20-8-1965~~. The Cabinet on 29/8/66 decided as follows:-

"(1) The Water Rates for lands irrigated by Irrigation Works with an achkat of above 100 acres, shall be as follows:-

I.	(a) For single wet (Paddy) Crop.	-- Rs.18/- per acre.
	(b) For double Wet (Paddy) Crop.	-- Rs.25/- -do-
II.	For Sugarcane Crops:-	
	(a) of 11 months duration.	-- Rs.45/- per acre.
	(b) of 16 to 18 months duration.	-- Rs.60/ per acre.
III.	For Cotton and Groundnut and other Cash Crops.	-- Rs.15/- per acre.
IV.	For Millets and Pulses.	-- Rs. 7.50 per acre.
V.	For all Garden Crops.	-- Rs.20/- per acre.
VI.	For Manurial Crops.	-- Rs. 4/- per acre.

(2) The Water Rates for lands irrigated by Irrigation Works with an achkat of 100 acres and below shall be as follows:-

I.	(a) For Single Wet (Paddy) Crop.	-- Rs.12.50 per acre.
	(b) For Double Wet (Paddy) Crop.	-- Rs.18.75 -do-
II.	For Sugarcane Crop.	-- Rs.30/- -do-
III.	For cotton, Groundnuts and other Cash crops.	-- Rs.7.50 -do-
IV.	For Millets and Pulses.	-- Rs.5/- -do-
V.	For Garden Crops.	-- Rs.12.50 -do-
VI.	For Manurial Crops.	-- Rs.3/- -do-

(Contd...5)

(3) The basic Betterment Contribution leviable upon the lands irrigated by irrigation works shall be fixed at Rs.400/- per acre.

(4) The Special Benefit Betterment Contribution leviable upon the above lands shall be fixed as under:-

(a) Rs.200/- per acre for wet (Paddy) cultivation;
(b) Rs.400/- per acre for Sugarcane cultivation.
(so that the Betterment Contribution will be Rs.800/-, Rs.600/- and Rs.400/- per acre for irrigated land under sugarcane, paddy and other crops, respectively

(5) For item (ii) of sub-section (1) of Section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, the following item shall be substituted, namely:-

"(ii) different in respect of water supplied, made available or used from different irrigation works, and when water is supplied, made available or used for irrigation of any land, with or without reference to the crop or crops grown or which may be grown on such land".

In order to incorporate the decision of the Cabinet for levying different water rates in respect of water supplied, made available or used from different irrigation works and with or without reference to the crops an amendment was made to Section 10 of the Act of 1957 by the Mysore Irrigation(Levy of Betterment Contribution & Water Rate) (Amendment) Act 1965 (Mysore Act No.18 of 1965).

The water rates as approved by the Cabinet have been issued in Oct 1965 as Mysore Irrigation (Levy of Water Rates) Rules 1965, effective from 1.7.65 — (KK)

As certain omissions were noticed in the Mysore Irrigation (Levy of Water Rates) Rules, 1965 and as it was decided to increase the water rates by 33-1/3%, certain amendments have been issued in the Mysore Irrigation (Levy of water Rates) (Amendment) Rules,1966.

next page

Sl. No.	Name of crop.	For areas under Irrigation works having an ayacut of 100 acres and below.	For areas under Irrigation works having an ayacut of above 100 acres.
1.	Sugarcane crops.	a) 16 months. Rs.30-00 b) 11 months.	a) Rs.60-00 b) Rs.45-00
2.	Paddy Crop	a) First Crop Rs.12-50 for Single crop. b) Second Crop Rs.18-75 for both Crops.	Single crop Rs18-00 For two crops. Rs20/-
3.	a)Chillies b)Cotton c)Gingly d)Onion e)Potato f)Sweet Potato g)Tobacco h)Groundnut.	Rs.7-50	Rs.15-00
4)	Millets or pulses	Rs.5-00	Rs. 7-50
5)	Any other Crop	Rs.3-00	Rs. 4-00
6)	Arecanut, Plantain, Betel Leaves, fruit trees.	Rs.12-50	Rs.20-00

It was further informally discussed in the Cabinet meeting held on 3-3-66 and that the existing water rates may be enhanced by 33-1/3 percent and rxk rules framed accordingly. Revised rules amending the original rules enhancing the rates by 33-1/3% were framed and also issued as "The Mysore Irrigation (Levy of water Rates) Rules, 1966.

The revised rates as noted below have come into effect from 1-4-1966:-

Sl.No.	Name of crop.	For areas under Irrgn. works having an ayacut of 100 acres and below.	For areas under Irrgn. works having an ayacut of of above 100 acres.
1.	Sugarcane crop.	a) 16 months b) 11 month. Rs.40-00	a) Rs.80-00 b) Rs.60-00
2.	Paddy crop.	a) First crop Rs.16-00 b) Second crop 8-00	1st crop Rs.24-00 II crop Rs.12-00

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3. a)Chillies b)Cotton c)Gingilly d)Onion e)Potato f)Sweet potato g)Tobacco h)Ground nut	Rs.10-00	Rs.10-00
4.Millets or pulses	Rs. 6-00	Rs.10-00
5.Any other crop	Rs. 4-00	Rs. 5-00
6.Arecanut, plantain, Betel leaves, fruit, trees, pepper.	Rs.16-00	Rs.26-00

The question of rationalisation of the Water Rates in force in State leviable on different crops grown under different sources of Irrigation was again considered by the Cabinet on 6.4.67 and the following decision was taken:-

"Stay of collection of Water Rates, etc.,

DECISION OF CABINET

After discussion, it was decided that while collection of land revenue and surcharge thereon should continue as before, the collection of water rate and cesses thereon in respect of the period 1965-66 and onwards might be stayed for the present.

2. It was also decided that in respect of irrigated lands for which contribution had already been levied in the past, collection of betterment contribution should not be made.

3. The collection of maintenance cess at the rate of Rs.4/- (Four) per acre may be continued as at present.

4. All the questions regarding water rate might be got re-examined by a Cabinet Sub-committee of the following Ministers and their recommendations put up for consideration of the Cabinet.

1. Minister for P.W.
2. Minister for Revenue & Forest.

3. Minister for Finance & Planning.
4. Minister for Health & Housing
5. Minister for Animal Husbandry
6. Minister for Education.

5. The Secretary to Govt. P.W.D. will be the convenor of the above Sub-committee".

The Revenue Dept. are taking action regarding the Item No.2 and 3. As regards Item No.4 the Govt. of Madras, Andhra Pradesh and Maharashtra have been addressed demi-officially on 6.4.67 to furnish the information regarding water rates/wet assessment obtaining in their states in respect of ~~Irrigation~~ various crops grown under different sources of Irrigation.

The receipt of replies are awaited. They are being reminded again to expedite the matter.

35

T821-6.

To-day.

OFFICE OF THE SECRETARY TO GOVERNMENT,
PUBLIC WORKS & ELECTRICITY DEPT
Bangalore, dated 6th May 1967.

NOTE.

In pursuance of the Cabinet decision of 6th April 1967, it is proposed to hold on 10th May 1967 at 11-30 A.M. in the chambers of the Minister for Public Works, Irrigation and Power, the first meeting of the Cabinet Sub-Committee for re-examination of the water rates fixed earlier in accordance with the Cabinet Decision taken on 3rd March 1966. This may please be brought to the kind notice of the Minister for attending the meeting. A note on the subject will follow.

Chandappa Patel

(Chandappa Patel)
Secretary to Government,
Public Works & Elec. Dept.

To

The Private Secretary to the Minister for
Animal Husbandry.

a similar copy has been recd. by the P.A to (M) Animal Husbandry Today. 6/5/67

T.321-166

To-day

OFFICE OF THE SECRETARY TO GOVERNMENT
PUBLIC WORKS & ELECTRICITY DEPT
Bangalore, dated 8th May 1967.

NOTE.

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(Chandappa Patel)
Secretary to Government,
Public Works & Elec. Dept.

To

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OFFICE OF THE SECRETARY TO GOVERNMENT
PUBLIC WORKS & ELEC. DEPARTMENT
Bangalore, dated 8th May 1967.

In continuation of this office Note of even number dated 8th May 1967 a detailed note on the subject is enclosed for kind perusal of the Minister. As intimated earlier, the subject will be discussed in the Cabinet sub-Committee meeting to be held on 10th May 1967 at 11-30 A.M. in the chambers of the Minister for Public Works Irrigation and Power.

Sd/-..
(Chandappa Patel)
Secretary to Government,
P.W. & E. Dept.

A note on the [redacted] to the Cabinet on 20th August 1965 [redacted] on the basis of the information with regard to the water rates obtaining in the neighbouring States of Andhra Pradesh and Madras, and in the light of the discussions the Secretary to Government, Public Works and Electricity Department had with his counter-part in Andhra Pradesh State. The Governments of Andhra Pradesh and Madras were requested in our letter of the 6th April 1967 to furnish us with the information about the water rates now in force in their States. The Secretaries to Government of Madras and Andhra Pradesh in the department concerned were also contacted over phone. The Government of Madras have furnished the information with their letter dated 27th April 1967. But no information has so far been received from other Governments i.e. Andhra Pradesh and Maharashtra. They have also been reminded on 26th April 1967.

The information furnished by the Madras Government in their letter referred to above is just the same as was received in July 1965 which was the basis for the preparation of the Cabinet Note referred to above. I had an informal discussion with the Additional Secretary, Public Works Department, Government of Andhra Pradesh when he was here recently in connection with the discussion on certain Inter-State problems pending between the two States. He gave me to understand that the And[redacted] Pradesh Government had effected certain increase in t[redacted] water rates recently which because of legal lacuna[redacted] could not stand judicial scrutiny. The position is [redacted] the water rates obtaining in that State during th[redacted] seems to continue to be in force. There[redacted] th[redacted] information made available in the [redacted]inet No[redacted] August 1965 on the basis o[redacted]nich the decision[redacted] vie[redacted] has not undergone an[redacted]material change.

Pgd 23 NOV 63

C.196/63

Working Note

Imposition of water rates and Betterment Contribution.

The question of levy of Water Rates was considered in the Cabinet Meeting held on 17th November 1963 and it was decided to fix the Water Rates as follows:-

(a) In respect of water supplied, made available or used from any major irrigation work or medium irrigation work:-

i) for not less than eight months in a year

(a) for growing sugarcane — Rs.70 per acre
(b) for growing other crops — Rs.50 per acre

ii) for not less than two months but less than eight months in a year

(a) for growing wet crops — Rs.6 per acre
(b) for growing dry-cultivated crops — Rs.30/- per acre

iii) For less than two months in a year Rs.5/- per acre

(b) In respect of water supplied, made available or used from any Minor Irrigation work:-

(i) for not less than eight months in a year

(a) for growing sugarcane — Rs.30/- per acre
(b) for growing other crops — Rs.23/- per acre

(ii) for not less than two months but for less than eight months in a year:

(a) for growing wet crops — Rs.12.50 per acre
(b) for growing dry-cultivated crops. — Rs. 6.50 per acre

(iii) for less than two months in a year. — Rs.4.00 per acre.

2. The rates of wet assessment as in force presently are shown in the Statement at Annexure I.

3. The draft Rules to implement the decision of the Cabinet in accordance with the provisions of the Kyasa Irrigation(Levy of Betterment Contribution and Water Rate) Act, 1957 as amended

"Yes, an assurance has been given by me on the floor of the Assembly.....It was as a result of an informal understanding in the Cabinet Meeting which was discussing the Land Revenue problem when Survey and Settlement Resolution was being discussed in the House. We have to give this informal understanding a shape. Please bring this up again before Cabinet for informal discussion for the purpose of setting up the machinery to work out the details in furtherance of that understanding and later on to take a formal decision."

When the subject was discussed informally in the Cabinet Meeting held on 16th July 1965 the following decision was taken:

"Let P.W.D. Minister put up a considered note for consideration of the Cabinet."

5. In regard to the Betterment Levy, there have been representations about their being on the very high side. The Chief Minister had kindly observed that we may go slow in the matter of collection of betterment Levy as the entire question requires to be reconsidered.

6. [redacted] information in regard to the system levy of [redacted] water rates in [redacted] Pradesh State including the former Telangana area of the old Hyderabad State has been collected and an informal discussion was also held by me at Hyderabad on 20th July 1966 with the Secretary to the Govt. of Andhra Pradesh, [redacted] and other concerned officers. The position is as under:

In Andhra Pradesh, generally, there is no separate Water Rate as such, leviable on the lands irrigated by Government sources. An assessment known as 'wet Assessment' is levied upon the lands which are supplied with water for irrigation from Govt. sources. The wet assessment obtaining during the year 1960-61 in various districts of Andhra

(Contd...6)

Andhra Pradesh including Telangana area are indicated in the Annexure-II. During the year 1957 the land revenue standardisation of assessment came into force. This measure sought to minimise the inequitous assessment in different tracts due to different agricultural prices etc., at different times at which the settlements were made. During the year 1962 another measure known as "Andhra Pradesh Land Revenue (Additional Assessment) and Cess Revision Act, 1962' was enacted which came into force with effect from 1st July 1962. The Act of 1962 is now in force, which provides for additional assessment on the dry lands as well as the lands irrigated by Government sources. Section 4 of the said Act reads as follows:-

"4. For section 4 of the principal Act, the following section shall be substituted, namely:-

"Levy and collection of additional assessment on wet land served by government source of irrigation.

4. In the case of wet land in the State which is served by a Government source of irrigation specified in classes I, II and III of the Table below, an additional assessment at the rate of one hundred per cent, and in the case of wet land in the State which is served by a government source of irrigation specified in class IV thereof, an additional assessment at the rate of fifty per cent, of the assessment payable for a fasli year for that land shall be levied and collected by the Government from the person liable to pay the assessment for each fasli year in respect of that land,

Provided that the additional assessment together with the assessment payable per acre per fasli year for any wet land specified in column (1) of the Table below shall, in no case, be less than the minimum, or exceed the maximum, specified in the corresponding entry against that land -

(a) in column (2) of the Table in the case of a single-crop wet land, and

(b) in column (3) of the Table in the case of a double-crop wet land.

The table.

Description of wet land. (1)			Rate of assessment payable for single crop wet land per acre. (2)		Rate of assessment payable for double crop wet land per acre. (3)	
Class of, and extent of ayacut under, Government source of irrigation. (a)	Number of settlement taram. (b)	Settlement classification or bhagana. (c)	Minimum (a)	Maximum. (b)	Minimum. (a)	Maximum. (b)
			Rs.nP.	Rs.-nP	Rs.-nP.	Rs.-nP
I. 30,000 acres and above.	(a) 1 to 5	16 to 12	20-00	24-00	30-00	36-00
	(b) 6 to 8	11½ to 9	15.00	18-00	22-50	27-00
	(c) 9 & above.	8½ and below.	12-00	15-00	18-00	22-50
II. 5,000 acres and above but below 30,000 acres.	(a) 1 to 5	16 to 12	15-00	18-00	22-50	27-00
	(b) 6 & above.	11½ and below.	12-00	15-00	18-00	22-50
III. 50 acres and above but below 5,000 acres.	All tarams.	All bhaganas	9-00	11-00	13-50	21-00
IV. Below 50 acres.	All tarams.	All bhaganas.	6-00	12-00	9-00	18-00

7. In the case of new projects whether big or small, major or minor, the Andhra Pradesh Government have decided to levy a uniform Water Rate as noted below.-

i. For the first or single wet crop on dry land; Rs.15 per acre

ii) For irrigated dry crops on ~~dry~~ land Rs.10 per acre

iii. For dufasal crop or for two wet crops Rs.22.50 -do-

A notification under section 1 of the Andhra Pradesh Irrigation Cess Act, 1965 (Perhaps this a copy of the Madras Irrigation Cess Act) has been issued by them to implement the above decision.

8. Another measure, it appears, is being introduced during the current Session of the Andhra Pradesh Legislative Assembly, which enables the State Government to levy an assessment at the rateof 2½ times of the wet assessment for sugarcane crops of 11 months' duration and 3½ times of the wet assessment for sugarcane crop which matures in 16 to 18 months. It appears that the rate would generally work out to Rs.60/- per acre in the first case and Rs.84/- per acre in the second case. If sugarcane is grown on dry land with the help of the water supplied from the Government source the rate would be 2½ times or 3½ times of the water rate and dry assessment together for the crops which mature during 11 months or 16 to 18 months, as the case may be.

9. In the State of Madras also, generally, wet assessment only is levied upon the land irrigated by Government source. However, if water is made available to dry land, the water cess calculated by deducting dry rate from the wet assessment is levied. The wet assessment obtaining in some of the districts of Madras State is given in Statement at Annexure. IIIX.

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10. As in the Andhra Pradesh State, an Act, known as Additional Assessment and Additional Water Cess Act, 1963 has been passed which has come into force from the year 1962. According to this Act, an additional assessment at the rate of 45 per cent of the land Revenue (Wet assessment) payable for a particular year for the land, is levied upon the lands irrigated by first or second class of irrigation and 30 per cent on the lands irrigated by III, IV and V Class source of irrigation.

11. It will be seen from the facts mentioned in the foregoing paragraphs that the water Rate for paddy has been fixed at Rs.15 per acre in Andhra Pradesh and the Madras State as Well. The wet assessment fixed for the lands irrigated by projects constructed earlier have generally been raised so as to bring them on par (water Rate Component) to the Water Rate fixed in respect of the new irrigation Projects constructed in the recent past. In the State of Madras, However, separate rates have also been fixed for plantation, coconut, chillies, tobacco, gingilly, ranging from Rs.10 to Rs.15 per acre, and for millets a rate of Rs.7.50 per acre has been fixed for the lands under almost all the new projects. In Andhra Pradesh, the rate for irrigated dry crops on dry lands, has been fixed at Rs.10 per acre, the dry irrigation being anything other than wet cultivation Of course, for sugarcane there is a separate rate as mentioned earlier.

12. A water Rate of Rs.15 per acre for wet (paddy) cultivation has, it is evident, been accepted throughout

the States of Andhra Pradesh and Madras. It is also seen that the Water Rate for Wet(Paddy) cultivation has been taken as the base for fixing the Water rates for other types of irrigation. This procedure is prominently apparent in Andhra Pradesh. The States of Andhra Pradesh and Madras are our neighbourers and our problems are, in a large measure, common with them. It may, therefore, be practicable to fix the Water Rate for Wet(paddy) Cultivationat Rs.15 per acre and consider it as a base for fixing the Water rates for growing various other types of crops. For Sugarcane, the Andhra Pradesh Government is levying an assessment at 2½ times of wet assessment which would includes land revenue also. (Here the Wet assessment means the assessment for paddy cultivation). Where water rate is levied, the Andhra Pradesh Govt. is levying 2½ times of the total of Water Rate plus the dry rate. These rates are applicable in the case of sugarcane crops of 11 months duration. For longer duration crops the ratio will be 1:3½ instead of 2½ times. We may therefore fix the Rate Rate for sugarcane at 2½ times the the Water Rate for Wet (Paddy) cultivation which will work out to (2½ x 15) times = Rs.37.50. This rate may be applicable to the sugarcane crops of 11 months duration which may be raised to 3½ times i.e., Rs.52.50 inthe case of sugar cane crops of longer duration i.e., 16 to 18 months.

13. The dry crops are of various kinds. Some may yield better returns than others. The crops like groundnut and cotton would bring greater income to the cultivator than millets and pulses. We may, therefore, levy a rate of Rs.7.50 per acre for growing millets-rate prevailing in Madras State and

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and Rs.10 per acre for other irrigated dry crops other than the millets and pulses. The Garden crops may be charged at Rs.15 per acre.

14. The above discussion regarding the rates are given in the tablulated form as follows:-

I. For single Wet(Paddy) Crop	Rs.15 per acre
II. For sugarcane crop	
a) of 11 months duration	Rs.37.50 "
b) of 16 to 18 months duration	Rs 52-50 "
III. For growing cotton & groundnuts & other cash crops	Rs 10-00 "
IV. For millets and pulses	Rs 7-50 "
V. For all Garden crops	Rs 15-00 "
VI. for manurial crops	Rs 5-00 "

15. In Andhra Pradesh a distinction has been made between the lands irrigationed by source having lessthan 50 acres achkat and the lands irrigated by sourceshaving an achkat of 50 acres and above. As mentioned inparagraph 6 above, the wet assessment of the lands of the former category has been raise by 50% whereas that of the latter category by cent per cent. However, there will be a uniform rate leviable upon the lands irrigated by all new projects, big or small, major or minor. It is felt that in our State also there should be some distinction between the sources having an achkat larger than 100 acres as the former category of source will have to depend entirely upon the local rains. It is therefore, equitable that a slightly lower ratesfor lands irrigated by such source should be prescribed. The following rates are for consideration:

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I. Wet (paddy) Cultivation	* Rs. 12½ per acre
II. Sugarcane	Rs~~25~~ (30) "
III. Cotton, Groundnuts and other cash crops	Rs. 7.50 "
IV. Millets and Pulses	Rs. 5 "
V. Garden Crops	Rs 12½ "
VI. Manurial crops	Rs. 3. "

BETTERMENT CONTRIBUTION.

16. In both the States of Madras and Andhra Pradesh an enactment has been made to levy Betterment Contribution on lands coming under various projects constructed from the year 1947, (from 1st January 1947 in Madras and from 15th August 1947 in Andhra Pradesh). The lands under the irrigation works costing Rs.1.5 lakhs less have been exempted from the purview of this Act but rest of projects whose cost is more than Rs.1.5 lakhs whether they are major, medium or minor irrigation works, are subjected to the levy of Betterment Contribution under this Act. According to the Madras Irrigation (levy of Betterment Constribution) Act of 1955 as amended by Madras Act of 1963, uniform rates of betterment contribution ranging from Rs.80 per acre to Rs.200/- per acre are levied upon the lands benefited by the irrigation works consting more than Rs 1.5 lakhs. The differenciation in rates of Betterment contribution is based upon the classification of the lands. A copy of the relevant Section of the said Act is given in Annexu V.

17. In Andra Pradesh, no fixed rate of Betterment Contribution has been fixed under Andhra Pradesh (Levy of Betterment contribution and Advance Betterment Contribution) Act, 1955 as amended by Act of 1964. But the amount of contribution or the advance contributi

payable by any owner in respect of lands benefitted or to be benefitted by the projects, will be so fixed as not to exceed one half of the increase or estimated increase in the value of the land on account of the completion of the construction, expansion or alteration of the work. The extract of the relevant section of the Andhra Pradesh Act is given in Annexure VI. The prescribed Officers determine this amount of contribution by taking into account the cost of the land on the date of commencement of the work and the cost of the land on the date of completion of the work. According to the information furnished by the Board of Revenue, Andhra Pradesh, Hyderabad, it is found that the Andhra Pradesh Govt. have already collected a sum of Rs. 10,80,000 upto this year. During the discussion with the Revenue Secretary and other concerned Officers, I was given to understand that on an averagge the rate works out to Rs. 200 to Rs. 300 per acre.

18. Taking all the above factors into consideration and the representations made against the rates fixed earlier by us, as very high, the following suggestions are made:-

i) As against the present provision of exemption of irrigation works costing Rs. 1 lakh from the purview of the Betterment levy Act, the irrigation works costing Rs. 1.5 lakhs and less may be exempted from the levy of Betterment Contribution.

ii) Uniform rates should be made applicable in regard to the levy of Betterment contribution upon the lands benefitted by the irrigation works, the cost of

which exceeds Rs. 1.5 lakhs irrespective of whether they are major, medium or minor irrigation works.

iii) The basic contribution may be fixed at Rs. 200 per acre.

iv) The rate of Special Benefit contribution may be fixed as follows:-

a) Rs. 100 for wet (paddy) cultivation
b) Rs. 200 for sugarcane cultivation.

19. The Betterment contribution may be collected by instalments over a period of twenty years. The collections should start after three years from the date of completion of the project as the practice in Andhra Pradesh. Section 4(2) (a) of the Mysore Irrigation (Levy of Betterment Contribution & Water Rate) Act, 1957 as amended by Act of 1964 will have to be amended suitably.

20) The decision of the Cabinet is required on the following:

(1) The Water Rates for the lands irrigated by the irrigation works, the cost of which exceeds Rs. 1.5 lakhs may be as under:-

I	(a) For single wet (paddy) Crop	Rs.15 per acre
	(b) For Double wet (paddy) Crop	Rs. 22.50 per acre.
II	for Sugarcane crops.	
	(a) of 11 months duration	Rs. 15 per acre.
	(b) of 16 to 18 months duration	Rs. 52.50 per acre.
III	For cotton and Groundnuts and other cash crops	Rs. 10 per acre.
IV	For millets and pulses	Rs. 7.50 per acre.
V.	For all Garden Crops	Rs. 15 per acre.
VI.	For mas rial crops	Rs. 4 per acre.

(2) The Water Rates for the lands irrigated by the irrigation works, the cost of which is not more than Rs. 1.5 lakh may be as under:

I (a) For Single Wet (paddy) Crop	Rs. 12.50 per acre
(b) For Double Wet (paddy) Crop	Rs.18.75 per acre
II For Sugarcane Crop.	Rs. 30/- per acre.
III For Cotton, Groundnut and other Cash Crops.	Rs. 7.50 per acre.
IV For Millets and Ragi	Rs.5 per acre.
V For Garden Crops.	Rs. 12.50 per acre.
VI For Seasonal Crops.	Rs. 6 per acre.

(3) (i) In irrigation works, the cost of which does not exceed Rs. 1.5 lakhs may be kept beyond the purview of the Mysore Irrigation (Levy of Betterment Contribution & Water Rate). Act, 1957 as amended by Act of 1964.

(ii) The basic Betterment Contribution leviable upon the lands irrigated by irrigation works, the cost of which exceeds Rs. 1.5 lakhs, may be fixed at Rs. 200 per acre.

(4) The Special Benefit Betterment Contribution leviable upon the lands prescribed above may be fixed as under:-

a) Rs. 100 for wet (paddy) Cultivation.
b) Rs. 200 for sugarcane cultivation.

(5) For item (ii) of sub-section (1) of section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, the following item shall be substituted, namely:-

" (ii) the extent to which water supplied, made available or used from different irrigation works, and the water is supplied, made available, or used for irrigation of any land, with or without reference to the crop or crops grown or which may be grown on such land;"

Sd/-
Chandappa Patel,
Secretary to Government,
Public Works & Elecy. Deptt.

ss)8/8.

AVERAGE RATE OF ASSESSMENT PER ACRE FOR SIX DISTRICTS
CLASSES OF LAND.

NAME OF DISTRICT	IRRIGATED RATES			RAINFED RATES		
	Dry	Wet	Garden	Dry	Wet	Garden
1. Kolar District	0-15-0	4.12.1	3.10.10	3.0.0	10.0.0	12.0.0
2. Mysore Dist.	0- 7-5	1.13.5	2. 0.0	2.12.0	13.4.0	13.4.0
3. Mandya Dist.	0- 7-0	3. 8.6	1. 6.0	2.10.0	14.4.0	15.0.0
4. Chitradurga Dist.	0- 4-0	2. 0.11	1.10.3	2. 6.0	7.8.0	10.0.0
5. Hassan Dist.	0. 4.7	3. 0.2	3.3.1	3. 4.0	12.8.0	12.8.0
6. Shimoga Dist.	0. 2.3	1.14.6	2.6.0	2.14.0	8.0.0	20.0.0
7. Dharwar Dist.	1. 1.0	7.10.0	6.0.0	3.15.0	15.0.0	9.0.0
8. Bijapur District	1. 0.0	4.0.0	4.0.0	1.13.0	8.0.0	8.0.0
9. Belgaum Dist.	1. 1.6	1.7.6	3.0.0	3.8.0	15.0.0	12.0.0
10. North Kanara Dt.	0. 8.0	1.0.0	4.0.0	1.2.0	8. 8.0	14.0.0
11. Gulbarga Dist.	0.14.3	5.8.8	3.2.3	2.12.0	15.0.0	12.0.0
12. Bidar Dist.	1. 6.0	3.8.0	2.12.0	3. 1.6	8.0.0	16.0.0
13. Raichur Dt.	1. 8.0	8.0.0	6.0.0	2. 0.0	15.0.0	15.0.0
14. Coorg Dist.	0. 4.0	0.12.0	2.0.0	2.0.0	5.0.0	8.0.0
15. South Kanara Dist.	1. 8.0	7.14.0	9.0.0	2.0.0	11.4.0	9.0.0
16. Bellary Dist.	0.11.0	4.3.6	4.0.0	5.0.0	12.0.0	10.8.0
17. Bangalore Dist.	0.11.10	3.1.7	2.1.1	3.8.0	10.0.0	12.0.0
18. Tumkur District.	0. 3.7	0.10.0	2.4.3.	2.12.0	8.0.0	12.0.0
19. Chickmagalur Dist.	0. 3.1	2.7.11	1.13.8	*3. 8.0	9.8.0	16.0.0

*Since reduced to 2.12.0

STATEMENT - II.

Land Revenue assessment in Andhra Pradesh in the year 1960-61.

Name of the District.	Wet Rates.		Garden Rates (flow).	
	Maximum. Rs.-P.	Minimum. Rs.-P.	Maximum. Rs.-P	Minimum. Rs.-P.
ANDHRA AREA				
1. Srikakulam.	9-50	1-25		
2. Visakhapatnam.	9-50	2-00		
3. East Godavari.	14-25	1-94		
4. West Godavari.	14-25	1-94		
5. Krishna.	11-88	3-00		
6. Guntur.	12-50	2-00		
7. Nellore.	9-50	2-00		
8. Kurnool.	10-00	2-00		
9. Anantapur.	10-12	1-12		
10. Cuddapha.	10-00	2-00		
11. Chittoor.	10-00	2-00		
TELANGANA AREA.				
1. Hyderabad.	14-57	10-28	14-57	10-28
2. Medak.	12-86	14-57	12-86	14-57
3. Mahbubnagar.	17-14	10-28	13-71	10-28
4. Nizamabad.	17-14	12-00	17-14	12-00
5. Warangal.	17-14	8-57	8-57	8-57
6. Khammam.	15-43	10-28	10-28	8-57
7. Karimnagar.	15-43	8-57	15-43	8-57
8. Nalgonda.	12-00	8-57	15-43	8-57
9. Adilabad.	12-86	6-86	12-86	6-86

Note:- In telangana area Garden Rates (Lift have not been given, as the Lands hitherto taking water by lift have been classified as dry.)

(Copy)

Statement - III

The Wet Assessment rates obtaining in Madras State.

Name of district.	Wet				Wet (double crop)	
	Maximum		Minimum			
	Rs.	A	Rs.	A	Rs.	A
Chingleput.	10	0	1	8	15	0
North Arcot	10.12.		1.	6	15.	0
South Arcot.	11	11	3	0	16	1
Salem (North.)	10-12		1	6		
Salem (South)	13-15		1	9	20	4
Trichirapalli.	14-4		1	0	21	6
Thanjavur.	16-10		1	12	24	15
Madurai	11-14		2	0	15	15
Ramanathapuram	15	0	2	4	15	4
Tirunelveli.	15	0	2	4	22	8
Coimbatore.	13	12	2	14	20	10
Nilgiris.	3	8	0	10	Nil	

Annexure IV.

The Wet assessment and the water rates on lands irrigated under the projects constructed during the plan periods.

Name of the Project.	Assessment on Wet lands per acre	Water rates on dry lands per acre.
1. Kandrathar Project.	Classification of the existing tanks served by the project upgraded as Class-I source.	Rs.10 per acre for main canal and Rs. ~~12~~ 12-50\P for Tambraparani.
2. Sathanur Reservoir Project.	S.C.-Rs.15 D.C. Rs. 20 and C.D.C.Rs.22.50 P.	I Crop Rs. 15,II Crop Rs. 7.50 P. and III Crop. Rs.3.75 P.
3. Amaravathi Reservoir Project.	—	Plaintain, Sugarcane, Coconut — Rs. 20/-
		Paddy Rs. 15/-
		Millets. Rs. 7.50P.
4. Krishnagiri Reservoir Project.	S.C. Rs. 15, D.C. Rs. 20 and C.D.C. Rs.22-50 P.	I Crop Rs. 15, II Crop. Rs. 7-50 and II Crop ~~Rs.~~ Rs. 3-75 P.
5. Mettur Canal Scheme.	—	Plaintain, Sugarcane, Coconut. — Rs. 20
		Paddy Rs.15/-
		Millets Rs.7.50 P.
6. Lower Bhavani Project.	—	Plaintain, Sugarcane, Coconut. — Rs. 20/-
		Chillies Rs.15
		Tobacco etc. Rs.25
		Paddy Rs.15
		Gingelly Rs.10
		Millets Rs.7-50
7.Kodayar Project.	—	Rs.0-75 P. to Rs. 7/-
8.Vidur Project	—	Rs.10/- proposed but not yet finalsed.
9.Pullambadi Canal Scheme	Classification of the existing tanks Upgraded as Class II Sources.	I Crop Rs. 10/-
		II Crop Rs. 6/-
		III Crop Rs. 2.50P.
10. New Katta Lai High Level Canal	Classification of the existing tanks upgraded as Class-I source.	I crop Rs. 10/.
		II Crop Rs. 6/-
		III Crop Rs. 2.50 P
11.Vaigai Reservoir Project.	Madurai Rs. 14.37 P. and Rs. 15.62 P per acre.	Rs.10/- per acre.
12. Parambikulam Aliyar Project.		Wet crops Rs. 25 per acre

ANNEXURE V.

THE MADRAS IRRIGATION (LEVY OF BETTERMENT CONTRIBUTION) ACT 1955 (MADRAS ACT III of 1955) AS AMENDED BY THE MADRAS IRRIGATION (LEVY OF BETTERMENT CONTRIBUTION AMENDMENT ACT, 1963 (MADRAS ACT 32 OF 1963).

Section 4 -A. Levy of betterment contribution on lands in the new ayacut:-

The Government shall be entitled to levy a betterment contribution from the landholder on every acre of land in any new ayacut in accordance with the rates specified in the schedule;

Provided that no betterment contribution shall be levied on any land in any new ayacut under notified work, the cost of which does not exceed one lakh and fifty thousand rupees.

THE SCHEDULE

Schedule of rates per acre

NEW AYACUT

	Wet zone	Intermediary zone	Irrigated dry zone
	1	2	3
	Rs. P.	Rs. P.	Rs. P.
BLOCK A	200.00	170.00	140.00
BLOCK B	180.00	150.00	120.00
BLOCK C	160.00	130.00	100.00
BLOCK D	140.00	110.00	80.00

Provided that landholders of lands which were un-irrigated immediately before the execution of the notified work and which are newly assured with the supply of water for two wet crops as a result of the execution of the said notified work shall pay betterment contribution at the rate of fifty rupees per acre in addition to the rates specified in this Schedule.

ANNEXURE VI.

THE ANDHRA PRADESH IRRIGATION (LEVY OF BETTERMENT CONTRIBUTION AND ADVANCE BETTERMENT CONTRIBUTION ACT, 1955 - AS AMENDED BY THE ANDHRA PRADESH IRRIGATION(LEVY OF BETTERMENT CONTRIBUTION) AMENDMENT ACT, 1964.

Section 4. The amount of contribution or advance contribution payable by an owner for any land in respect of a work shall be so fixed as not to exceed one half of the increase or the estimated increase in value of the land, on account of the completion of the construction, expansion or alteration of the work. Such increase or estimated increase in value shall be the amount or the estimated amount, by which the value of the land on the date of the completion of such work, exceeds or is likely to exceed the value of the land on the date of commencement of that work.

Letter No.1208/M/67-2, dated the 2nd May, 1967.

From

Sri M.R.Pai I.A.S.,
Secretary to Govt. (incharge).

To

The Secretary to Govt. of Mysore,
P.W. & Electricity Department,
Bangalore.

Sri,

Sub:-Irrigation - Levy of water rates - Information

Ref:- Your letter No.P.W.D.-10/LBW/67, dt. 26-4-1962.

I am directed to state that the required information is being gathered and that the same will be furnished as early as possible.

Yours faithfully,

for Secretary to Government.

4.5.1967

The main file has been submitted to Joint Secretary on 27.4.1967

[illegible] of the Cabinet Sub Committee,
Public Works & Miscellaneous etc.
Bangalore, dated 11-5-1967.

NOTE:

The next meeting of the Cabinet Sub Committee constituted for re-construction of the water rates will be held on Tuesday the 16th May, 1967, at 11 A.M. in the Chambers of the Minister for Public Works.

This may please be brought to the kind notice of the Minister for attending the meeting.

SD/-

(Chandappa Patel)
[illegible]
P.W.D. Department.

To

1. .....

PWS/DM/60-61/67 dt. 12/5/67.

Copy to the (1) Secretary to Govt. Revenue Dept.
" (2) Secretary to Govt. Law Department

with a request to kindly make it convenient to attend the above meeting.

11/5

(Chandappa Patel)
Secretary to Govt.
P.W.D. Department.

D R A F T

Minutes of the Cabinet Sub-Committee meeting held on 10-5-1967

Present:

1. The Minister for Public Works
2. The Minister for Revenue
3. The Minister for Finance
4. The Minister for Health
5. The Minister for Animal Husbandry & Fisheries
6. The Minister for Education
7. The Secretary to Govt. PW&E Dept.

The rates in force in the State were reviewed with reference to the rates obtaining in the neighbouring States of Madras and Andhra Pradesh. The consensus of opinion was that instead of fixing the rate on crop-wise basis, it would be practicable and would also eliminate mal-practices at the lower level if the rates were fixed on the basis of the period for which the water would be made available for irrigation. After a detailed discussion it was agreed to fix the water rates as follows:-

1) Rs.30/- per acre for water supply for a period of more that 7 months in an Agricultural year (i.e. 1st June to 1st June);

2) Rs.15/- per acre for water supply for a period of 7 months and less;

3) Rs.7.50/- per acre for an intermittant supply (dry-cum-wet) for a period of 7 months and less.

It was also agreed that the Maintenance Cess of Rs.4/- per acre be added to the Water Rate proposed above and a consolidated rate fixed.

The Water Rates for the irrigation under sources irrigating 100 acres and less may be fixed by reducing the above rates in the ratio between the rates obtaining for sources irrigating 100 acres and less to the rates for the sources irrigating more than 100 acres The Water Cess will also be included in the rates so worked up.

.....

62

PWS/PA/54-59/67

[illegible] of the Cabinet to consider [illegible] and memorandum [illegible] dated 11-5-1967.

12

Sir,

The next meeting of the Cabinet Sub Committee constituted for re-examination of the water rates will be held on Thursday the 16th May, 1967, at 11 a.m. in the chambers of the Minister for Public Works.

This may please be brought to the kind notice of the Minister for attending the meeting.

(Sd)

O/C (Chandrapal Patel)
[illegible]
for Secretary to Govt.

Cc

1. The P.S. to Min. for L.D.
2. -do- Revenue & Forest
3. -do- Finance & Plng.
4. -do- Health & Housing.
5. -do- Animal Husbandry
6. -do- for Education.

Copy to the Secretary to Govt. R.D. I with a request to kindly make it convenient to attend the above meeting
-do-Secretary to Govt. L.D. I

Issued
dated 12-5-67

PWS/PA/60-61/67
dt 12/5/67.

L
11/5

Minutes of the Second Meeting of the Cabinet Sub-Committee held on 16th May 1967 in the chambers of the Minister for Public Works and Electricity, Vidhana Soudha, Bangalore.

****

Present:

1. The Minister for Public Works & Electricity.
2. The Minister for Finance,
3. The Minister for Health,
4. The Minister for Education,
5. The Secretary to Government, Law Department.
6. The Joint Secretary to Government, P.W.D.
7. The Secretary Revenue Department.

The opinion of the Law Department furnished on the decision taken by the Sub-Committee in the meeting held on 10th May 1967 to levy water rate on the basis of the period for which water would be made available for irrigation was read out for information of the members.

The Secretary, Law Department also explained as to how the principle adopted to levy water rate on the supply of water would be discriminatory and would attack Article 14 of the Constitution.

The principle of levying water rate as enunciated by the Nijalingappa Committee to levy water rate based on certain percentage of the net benefit to be derived by the irrigators was pointed out.

The water rates that are levied in Maharashtra State was also seen by the Members.

After a detailed discussion, it was decided to collect the information on the following points:

(1) The principles that govern the levy of water rate in case of existing old irrigation projects;

(2) The number of tanks having an atchkat area of (a) below 100 acres and (b) more than 100 acres.

The water rate that is in vogue in Andhra Pradesh is based on the following classification of crops:

(a) Perinnial,
(b) Wet;
(c) Dry, systematically irrigated;
(d) Dry, occasionally irrigated; etc.

The water rates for these irrigated crops is different in different projects.

65

The water rate based on the above classification of crops may be examined for being made applicable in our State. The information regarding this, may be and other in Punjab collected and placed before the Cabinet Sub-Committee scheduled to be held on 23.5.1967 at 5.00 P.M. for their consideration and further decision.

16/5

Jt.Secretary, P.W.D.

D.O.No.WTR/1067/36355-I(4)

66

GOVERNMENT OF MAHARASHTRA

IRRIGATION AND POWER DEPARTMENT,
MAHARASHTRA

SECRETARY TO GOVERNMENT Gaz. 331 Dt. 12 MAY 1967

Sachivalaya, Bombay-32,
8th May, 1967.

N.V.Khursale,
Chief Engineer (I).
and
Joint Secretary

Sub:-Irrigation - levy of water rates Information.

Dear Shri Chandappa,

Reference your D.O. letter No.PWD/10-LBW/67 dated the 6th April, 1967.

I enclose herewith a statement showing the existing water rates in respect of various crops on different types of irrigation works in the State.

There is no practice of charging wet assessment by this department.

With regards,

Yours Sincerely
6.5.67

D.A. 1 statement

(N.V.Khursale)

Shri Chandappa Patel,
Secretary, P.W.and Elecl. Department,
Bangalore.

16/5

MYSORE No 2104 15 MAY 1967 P.W.D. (RECEIPT & ISSUE SECTION)

WATER RATES FOR IRRIGATION PURPOSES 1966-67.

Name of Crop.	Western Maharashtra Water rates on Major Irrigation Works. ✓	Medium and Minor Irrigation Works.	Kolhapur Irrigation Division.	
1.	2.	3.	4.	
	Rs.	Rs.		
1) Sugar cane and plantains.	180/-	120/-	A) Cane o.P.	40/-
			Seasonals.	10/-
2) Pan Gardens.	190=80	128=25/-	B) Cane	30/-
			O.P.	15/-
			Seasonals.	10/-
3) Other Pere--nnials.	120/-	70/-	C) Cane	10/-
			O.P.	5/-
			Seasonals.	5/-
4) T.S.Crops.	15/-	15/-	Food and Fodder crops free of charge on lift irriga--tion.	
5) Kharif Seasonals.	6/-	6/-		
6) Rabi	9/-	9/-		
7) H.W.Season is.	18/-	18/-		

Note:- A) Bhogawati and P,ganga rivers with its back water zone, all Tributaries between RHE DAM and junction with Krishna river.

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1.	2.	3.	4.
8) Pre. - Seasonal in H.W. Season.	9/-*	9/-*	B) Dudganga, Vedganga, Hyranakwshi, Warna and all rivers having weirs on them.
9) Past - Seasonal watering in rabi for Kharif crops.	3/- @	3/-	C) Areas beyond back water zone on the main river and Tributaries for rivers in item (A) &(B) above.
10) Post - Seasonal watering in H.W. for rabi crops.	4/- @		
11) Cotton - Crop.	Double. The seassonal rate.	"	Though the demands were preferred at Rs.40/- per acre and Rs.30 per acre for cane as per rate referred to at A.&.C.D., above Govt. finally decided to charge consessional rate of Rs.20/- per acre for cane till end of 31-3-66.
12) Ground - nut.			
For Western Maharashtra.			
1) 1) Lift irrigation on :- - - Canal or distributary.		Full water rates for flow irrigation.	
2) Lift irrigation between - reservoir and pick-up weir:-		Halt the water rates for flow irrigation.	

-- contd. ---

3) Lift irrigation beyond back water zone of the reservoir on the main river, beyond back water zone of the pick up weir but below the reservoir.	Cane	25%	Of the water rates for flow irrigation.
	O.Ps.	25%	- do -
	T.S.Crops.	50%-	- do -
	Kharif & Rabi seasonal food crops.	Free of charge.	

		Upto ~~1/5~~ lift	Above 45
		Rs.	Rs.
(2) Lift irrigation on notified river down stream of the pick up weir.	Cane.	60/-	40/-
	~~D.P~~.	30/-	25/-
	T.S.Crops.	6/-	6/-

Note:- * Pre-Seasonal water is allowed from 1-5. If it is taken earlier full H.W. rate is charged.
@ For one watering only. If more than one watering is taken full seasonal rate is charged.

GOVERNMENT OF KARNATAKA

D.Dis.20 LRS 67

Office of the Secretary,
P.W.D. Electricity Dept.
Bangalore, dated the 20 May 1967.

Sub

The third meeting of the Cabinet Sub-committee constituted for the re-examination of the water rates will be held on Tuesday the 23rd May 1967 at 6 p.m. in the chambers of the Minister for Public Works.

This may please be brought to the notice of the Minister for attending the meeting.

Sd/-

(M.CHANNAPPA)
DEPUTY SECRETARY, PWD(I).
(Secy. Dept. on Farm)

Issued 20/5/67

1. The Secretary to Govt. Revenue Department,
2. The Secretary to Govt. Law Department,
3. P.S. to Min. PWD.
4. -do- Rev. & Forests
5. -do- Fin. & Plng.
6. -do- Health & Housing
7. -do- Animal Hus.
8. -do- Education.

} with a request to kindly make it convenient to atten attend the above meeting.

20/5/67

O/C (M.CHANNAPPA)
DY.SECRETARY, PWD(IRRGN.)

NOTE.

In the Cabinet Sub-Committee Meeting held on 10-8-1967 the consensus of opinion was that instead of fixing the water rates on crop basis it would be practicable and would also eliminate malpractice at the lower level, if the rates were fixed on the basis of period for which water would be made available for irrigation. It was agreed to fix the water rates under the following categories:-

(1) for water supply made for a period of more than 7 months in an agricultural year;

(2) for water supply made for a period of 7 months and less;

(3) for intermittent supply of water made for a period of 7 months and less;

2. The above decision was referred to the Law Dept. for its opinion and the Law Dept. has remarked as below:-

"The proposal assumes equal consumption of water irrespective of the crop that could be, or is raised on the land. This assumption if faulty as it appears to be, will give rise to attack under Article 14.".

3. In the next Cabinet Sub-Committee Meeting held on 16-8-1967 the above opinion of the Law Dept. was considered and it was agreed that water rates as in vogue in Andhra Pradesh which are based on the following classification of crops:-

(a) Perennial.
(b) Wet.
(c) Dry systematically irrigated.
(d) Dry occasionally irrigated.

be examined to see if they could be made applicable in our State as well.

4. The basic considerations that are to be considered while fixing water rates are:-

(a) Quantity of water supplied.
(b) Value of crops grown.
(c) Extent of benefit realised by the cultivator;
(d) Ability of the cultivator to pay.

(Contd....2)

5. The water rate based on the volume of water supply is the most scientific approach but it is beset with innumerable difficulties in measurement of the water supplied considering the small holdings we have in the country. The Nijalingappa Committee set up by the Govt. of India to suggest ways and means of improving financial returns from irrigation projects after considering all these aspects have suggested that:-

> "water rates should be on the basis of a suitable percentage of the additional net benefit to the farmer from an irrigated crop. Where with the available data this can be worked out, these rates may be fixed at 25 % to 40 % of the additional net benefit keeping in view factors like rainfall, water requirement, yield and value of crops, etc., where it is not feasible to work out the additional net benefit water rates may be fixed, to start with as the suitable percentage of gross income to the farmer from the irrigated crop. Rates in this case may be 6 to 12% of the gross income".

6. Therefore water rates are essentially to be based on the additional benefit derived by the farmer from an irrigated crop. Further the linking of the water rate with the crop grown provides scope for variation in the charges according to the water drawn since water requirements vary for each type of crop.

7. In the proposal agreed to by the Cabinet Sub-Committee, it has been suggested that water rates shall be based on the period of supply of water, Levy of water rates merely specifying the total duration of supply of water may be in-complete. and it may be necessary to indicate whether the water supply period is continuous or whether it is bi-weekly or whether it is fortnightly or so.

8. Keeping in view of the above and also the decision taken by the Cabinet Sub-Committee to have water rates generally based on the period of water supply made it is suggested that we may

(Contd... 3)

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perhaps as existing in the State of Andhra Pradesh adopt the following categories of water rates to be levied.

(a) for the first or single wet crop.
(b) for irrigated dry crop.
(c) for Dofussal crop or for two wet crops.

9. As defined in the Andhra Pradesh and Madras Irrigation Cess rules the following definitions can be adopted.

1) only paddy shall be recognised as a wet crop and all other crops shall be treated as dry or dufasal - as the case may be.

2) A dufasal crop includes sugarcane, betal, plantain, turmeric, areca, lime, oranges and any other crop which ordinarily remains on the ground for more than six months;

3) A dry crop means a crop which is neither wet nor a dufasal crop.

10. The water rates leviable as per existing rules in force and as prescribed in Andhra Pradesh in the new Projects and as agreed to in Cabinet Sub-Committee of 10-5-1967 under the above categories are as below:-

1.	As in force in Mysore. 2.	As prescribed in A.P. 3.	As agreed in 10-5-1967. 4.
a) For first or single wet crop.	Rs.24/- acres.	Rs.15/- acre.	Rs.15/- acre.
b) For dry crop.	Rs.10-5/- acres.	Rs.10/- acre.	" 7.5/acre.
c) For dufasal crop or two wet crops.	Rs.60-20/- "	Rs.22.50/- "	" 30/- Acre.

11. In the Cabinet Sub-Committee held on 10-5-1967 it was decided that the Maintenance Cess of Rs.4/- per acre envisaged in the Irrigation Act may not be levied separately but be added to the water rates proposed and a consolidated rate fixed. It is therefore to be decided whether Rs.4/- is to be added to the water rates shown under Column-4 of the Para 10 above

(Contd...4)

12. The water rates applicable for lands irrigated by the irrigation work capable of irrigating not more than 100 acres ~~i~~ will be derived from the rates proposed above in Paras 10 and 11 by applying the same proportionate reduction as existing in the rules in force.

STATEMENT OF MINOR TANKS ACREGE WISE IN MYSORE STATE

SL. No.	Acregewise Classification		NO.	Area Served.
1.	Up to 10 acres.	-----	12702.	66,672 acres
2.	10 to 50 acres.	-----	14441.	3,30,793 acres
3.	50 to 100 acres.	-----	2942.	1,97,933 acres
4.	100 to 500 acres.	-----	2240.	4,31,107 acres
5.	Above 500 acres.	-----	219.	2,01,152 acres
6.	Spring Tanks	-----	2555.	21,807 acres
7.	Percolation tanks	-----	13.	1,656 acres
		Total....	35,112.	12,61,120 acres.
8.	Tanks whose atchkat is fed by another tank.	----	245.	---
9.	Tanks whose atchkat is fed by Canal.	-----	622.	---
~~10.~~	Water Supply tanks, Kattes Katter and Cattle Ponds.	-----	934.	---
~~11.~~ 10	Breached tanks under the Command of Canals.	----	350.	---
~~12.~~ 11	Independent Breached tanks. to be restored.	-----	1564.	---
		Total....	38,827 / 37893	---12,61,120. acres.
13.	Pickups.	-----	4,210.	1,50,383. acres.
14.	Feeders with direct atchkat.	-----	12.	1,419. acres.
		Total..	43,049. / 42015	14,02922 acres.

Kind of crop	Area in acres.	Water rates as existing (3-9-1950)	Amount	Water rates originally existing (decided on 10-8-1905)	Amount	Water rates as now proposed.	Amount.
Minor Irrigation (less than 100 acres).							
Sugarcane	93,100	Rs.40	36,24,000	Rs.30	27,93,000	Rs.30	18,62,000
Garden crops	36,240	Rs.15	5,50,400	Rs.12-30	4,00,500	Rs.12-30	4,80,600
~~Paddy~~	~~Cancelled~~						
Paddy	6,44,700	Rs.15	100,15,200	Rs.10-30	80,63,750	Rs.11	70,91,700
Dry crops	1,47,320	Rs. 6	8,84,100	Rs. 5	7,20,120	Rs. 5-60	8,10,420
Numerical crops.	— 9,21,000	Rs. 3	—	Rs. 4	—	Rs. 3	—
Main & Minor Irrigation (less than 100 acres)							
Sugarcane	42,43,900	Rs.30	27,50,400	Rs.25	13,30,900	Rs.30	23,72,700
Garden crops	45,900	Rs.20	11,50,400	Rs.20	9,18,000	Rs.20	9,18,000
Paddy	1,37,700	Rs.24	30,04,800	Rs.15	24,78,000	Rs.18	22,03,300
Dry crops	2,20,500	Rs.10	22,96,000	Rs. 7-60	16,50,250	Rs. 8	18,36,000
Numerical Crops.	— 458990	Rs. 6	—	Rs. 3	—	Rs. 4	—
	13,50,000	Rs	200,28,400		180,51,000		165,41,500
Maintenance cess at Rs.4/- per acre for 14 lakhs acres			56,00,000		56,00,000		Nil
		Total	300,28,400		244,63,000		165,41,500

Cabinet note Put up on 28/5/67

In the Council of Ministers held on 6-4-1967, the following decisions have been taken in respect of water rates:-

" All the questions regarding water rates might be got re-examined by a Cabinet sub-committee of the following Ministers and their recommendations put up for consideration of the Cabinet":

(1) Minister for P.W.D.
(2) Minister for Revenue and Forests
(3) Minister for Finance and Planning
(4) Minister for Health and Housing
(5) Minister for Animal Husbandry
(6) Minister for Education.

The Secretary to Government, Public Works Dept. will be the Convenor of the above sub-committee "

Accordingly As per the above decisions, discussions were held in the Cabinet Sub-committee meeting on 10-5-1967, 16-5-1967 and 23-5-1967. The Cabinet sub-committee in the first instance examined the possibility of levying the water rates based on the period of supply. However, as it was opined by the Law Department that such a levy would attract Article 14 of the Constitution of India and may be challenged in the court on the grounds of discrimination. It was finally decided that the water rates be levied as detailed below in respect of irrigation works having an achkat of 100 acres and below:

(1) Sugarcane .. Rs. 20/- per year per acre
(2) Single Wet (paddy) .. Rs. ~~18/-~~ 11/- per crop
(3) Double Wet (two paddy crops) in one year .. Rs. ~~18/-~~ 16.50 per acre
(4) (a) Irrigated dry single crop .. Rs. ~~6/-~~ 5.50 per acre
(b) Irrigated dry two crops in one year .. Rs. ~~3/-~~ 2.75 per acre
(5) Garden crops .. Rs. 12/- per year per acre
(6) Manurial crops .. Rs. 3/- per acre.

In respect of irrigation works having an achkat of above 100 acres the water rates may be levied as detailed below:

(1) Sugarcane	.. Rs.	30/- per year per acre
(2) Single Wet (paddy)	..Rs.	16/- per crop
(3) Double Wet (two paddy crops in one year)	.. Rs.	24/- per acre
(4) (a) Irrigated dry single crop	.. Rs.	8/- per acre
(b) Irrigated dry two crops in one year.	.. Rs.	12/- per acre.
(5) Garden crops	.. Rs.	20/- per year per acre
(6) Manurial crops	.. Rs.	4/- per acre. per crop

The above rates are inclusive of maintenance cess. Therefore there will be no separate charges under the head of the Maintenance Cess.

The revenues under the head "water rates" under the ~~prevalent~~ existing rates will be about Rs. ~~246~~ 250 Lakhs. In addition there will be a realisation of about Rs. 56 Lakhs under the head maintenance cess." The total revenue ~~therefore~~ being about Rs. ~~302~~ 306 Lakhs. On the basis of the proposed water rates which will be inclusive of the maintenance cess the revenues would be about Rs. ~~142~~ 185 Lakhs. It may also be mentioned that the Government have decided to take over the maintenance of all the irrigation works. This will entail an expenditure of about Rs. ~~262~~ 242 Lakhs. Therefore the net revenues under the water rates would be about Rs.

The above Cabinet Note is submitted for kind consideration of the Council of Ministers and orders.

REVENUE DEPARTMENT.

Area under Canals	...	8,50,000	acres
" under Tanks	...	9,15,000	"
" under Wells	...	4,31,000	"
Other Sources	...	3,31,000	"
Total	...	25,26,000	"

Secy., R.D.
No 3785 Date 24/5

The above information has been obtained from the Department of Statistics.

SECRETARY TO GOVERNMENT
No. 675
Dt. 24 MAY 1967
PUBLIC WORKS & L...

B.S. Srikantiah 24/5/67

(B.S.SRIKANTIAH)
Secretary to Government,
Revenue Department.

CHANDAPPA PATEL
Secy. P.W. & Elecy. Dept.

(SRI CHANDAPPA PATEL),
Secretary to Govt.
P.W.D.Deptt.

Spl I Section
This may be kept in the water rate file

2212

Spl Irrigation
C.O.

Draft.

Draft

NO .....

NOTIFICATION

The draft of the following rules to further amend the Mysore Irrigation (Levy of water Rates) Rules, 1965, which the Govt. of Mysore proposes to make in exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957 (Mysore Act 28 of 1957) is hereby published as required by Sub-section 1 of the said section for the information of persons likely to be affected thereby and therefore notice is hereby given that the said draft rules will be taken into consideration on or after the.....(x).....

(x) To be specified after it is ascertained by L.D.

Any objection or suggestion which may be ~~xxxxxxxxxxxx~~ received from any person with respect to the aforesaid draft rules by the State Govt. before the date ~~xxx~~ specified above will be considered by the Govt. Objections and suggestions may be addressed to the Secretary to the Govt. of Mysore, P.W.D. Vidhana Soudha, Bangalore.1:-

Draft:-

1. Title and Commencement:- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (Second Amendment) Rules, 1967.

(2) They shall come into force at once.

2. Amendment of Rule 3.- In rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, (hereinafter referred to as the principal rules),

(1) for the Table in clause (a), the following Table shall be substituted, namely:-

TABLE

PART I

Irrigation works having an atchkat of 100 acres and below:-

(1)	Sugarcane	Rs. 20/- per year per acre
(2)	Single wet (paddy)	Rs. 11/- per acre
(3)	Double wet (two paddy crops in one year)	Rs.16-50 per acre
(4)	(a) Irrigated dry single crop	Rs.5-50 per acre
	(b) Irrigated dry two crops in one year.	Rs.8-25 per acre
(5)	Garden crops.	Rs.12/- per year per acre
(6)	Mamurial crops	Rs. 3/- per acre per crop.

PART II

Irrigation works having an achkat of above 100 acres.

(1)	Sugarcane	Rs.30/- per year per acre
(2)	Single wet (paddy)	Rs.16/- per acre
(3)	Double wet (two paddy crops in one year).	Rs.24/- per acre
(4)	(a) Irrigated dry single crop.	Rs.8/- per acre
	(b) Irrigated dry (two crops in one year)	Rs.12/- per acre
(5)	Garden crops.	Rs.20/- per year per acre
(6)	Mamurial crops	Rs. 4/- per acre per crop.

for consideration

(2) Clause (b) shall be deleted.

(3) Sub-Rule (2) of the principal rules shall be deleted.

BY ORDER ETC.,

To

D.S.(I)

The Compiler, Mysore Gazette, for publication

Draft

No.PWD

NOTIFICATION.

The draft of the following Rules to further amend the Mysore Irrigation (Levy of Water Rates) Rules, 1965, ~~with~~ the Govt. of Mysore proposes to make in exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, (Mysore Act 28 of 1957) is hereby published as required by Sub-Section 1 of the said Section for the information of persons likely to be affected thereby and therefore notice is hereby given that the said draft rules will be taken into consideration on or after the .....(2).....

(1) Draft rules in pursuance of Govt. Order No. PWD 81 LD 67 dated 30-3-1967

Any objection or suggestion which may be received from any person with respect to the aforesaid draft rules by the State Govt. before the date specified above will be considered by the Govt. Objections and suggestions may be addressed to the Secretary to the Govt. of Mysore, P.W.D. Vidhana Soudha, Bangalore-1:-

DRAFT.

1. Title and Commencement:-/ (1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (Second Amendment) Rules, 1967.

(2) They shall come into force ~~at once~~.

2. Amendment of Rule 3:- In Rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, (hereinafter referred to as the principal rules),

(1) for the Table in clause (a), the followin Table shall be substituted, namely:-

(Contd...2)

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TABLE.

PART-I.

Lands irrigated by any irrigation work capable of irrigating not more than one hundred acres of land.

Crop. (1)	Water Rate per acre. (2)
) for Sugar Cane crop (a) to be harvested within a period of 12 mnths - 20 Rs - (b) to be harvested after a period of 12 mnths - 27 Rs	upees) upees) ees & ise).
(iv) Manurial crops. viz Sannhemp and Sesbania.	-- Rs.3/- (Three rupees).

PART-II.

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land.

Crop. (1)	Water Rates per acre. (2)
(i) For Sugar Cane crop (a) to be harvested within a period of 12 mnths - 30 Rs (b) to be harvested after a period of 12 mnths - 40 Rs	
Sweet Potatoes, Ginjelly, Onions, Tobacco and Coriander.	
(iv) Manurial Crops viz. Sannhemp & Sesbania.	-- Rs.4/- (Rupees Four).

In respect of rule ~~3(b)~~ 3(b) of the principal rules the following may be substituted:-

"(b) in respect of water supplied, made available or used from the irrigation works specified in Column(1) of the Table below, for the irrigation of lands on which arecanut, ~~plantain~~ Betel leaves, Plantain, Turmeric, Lime, Oranges ~~and other fruit trees~~, Pomegranates, Coconut, Pepper, Mulberry or any fruit tree grown water rates at the rates ~~prescribed~~

(Contd...3

specified in the corresponding entry of Column (2) of the said Table shall in respect of each revenue year, be levied:-

TABLE

Irrigation work. (1)	Rate per acre (2)
1. Irrigation work capable of irrigating not more than one hundred acres of land.	Rs.12/- (Rupees twelve)
2. Irrigation work capable of irrigating more than one hundred acres of land.	Rs.20/- (Rupees Twenty)

For Sub-Rule 2 of Rule 3 of the principal rules the following shall be substituted:-

"When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of any land on which paddy crop or any other irrigated dry crop of Jawar, Maize, Ragi, Navane, Sajje pulses, Green-gram, wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweetpotatoes, Ginjelly, Onions, Tobacco and Coriander is grown twice in any revenue year, water rates at the rates specified in the corresponding entry of column (2) of the said Table, shall be levied for the second crop:-

TABLE

Irrigation work. (1)	Rate per acre of second crop of. (2)	
	Paddy.	Irrigated dry crop of Jawar, Maize, Ragi Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweetpotatoes Gingellies, Onions, Tobacco, and Coriander.
1) Irrigation work capable of irrigating not more than one hundred acres of land.	5-50	2-75
2) Irrigation work capable of irrigating more than one hundred acres of land.	8-00	4-00

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MYSORE

Deputy Secretary to Govt.,
P.W.D. (Irrigation).

To

The Compiler, Mysore Gazette.

in the next issue of the Gazette.

2. All the Divisional Commissioner.
3. All the Chief Engineers (Irrigation)
4. All the Superintending Engineers
5. All the Executive Engineers.
6. All the Deputy Commissioners.

Copy to:-

1. R.D. 2. F.D. 3. Weekly Gazette.

CABINET NOTE.

SUBJECT:- LEVY OF WATER RATES - AMENDMENT.
- REVISION OF WATER RATES.

The Cabinet Sub-Committee which was constituted by the Council of Ministers in the Meeting held on 6-4-1967 to re-examine the question regarding the Water Rates and to put their recommendations for consideration of the Cabinet, made the following recommendations to levy water rates at the rates specified below:-

I. In respect of the Irrigation works having an atchkat of 100 acres and below:-

(1) Sugarcane.	-- Rs.20/- per year per acre.
(2) Single Wet (paddy).	-- Rs.11/- per acre.
(3) Double Wet (two paddy crops in one year).	-- Rs.16-50 per acre.
(4) (a) Irrigated dry single crop.	-- Rs.5-50 per acre.
(b) Irrigated dry two crops in one year.	-- Rs.8-25 per acre.
(5) Garden crops.	-- Rs.12-00 per year per acre.
(6) Manurial crops.	-- Rs.3/- per acre per crop.

II In respect of irrigation works having an atchkat of above 100 acres the water rates may be levied as detailed below:-

(1) Sugarcane.	-- Rs.30/- per year per acre.
(2) Single Wet (paddy).	-- Rs.16/- per acre.
(3) Double Wet (two paddy crops in one year).	-- Rs.24/- per acre
(4) (a) Irrigated dry single crop.	-- Rs.8/- per acre.
(b) Irrigated dry (two crops in one year).	-Rs.12/- per acre.
(5) Garden crops.	-- Rs.20/- per year per acre.
(6) Manurial crops.	-- Rs.4/- per acre per crop.

The above rates are inclusive of maintenance cess

2) The above recommendations were placed before the Cabinet at their Meeting held on 24-5-1967 and the water rates as proposed by the Sub-Committee were duly approved.

(Contd...2)

3) Accordingly a Draft Amendment to the principal rules incorporating the above decisions of the Cabinet was proposed and referred to the Law Dept. for scrutiny. The Law Dept. made the following observations:-

"According to Sub-Clause (ii) of Sub-Section (1) of Section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, the Govt. may prescribe the rates at which the water rates shall be levied which may be different in respect of water supplied, made available or used from different irrigation works, and when the water is supplied, made available or used for irrigation of any land with or without reference to the crop or crops grown or which may be grown on such land and the manner in which and the authority by which the amount of water rate levied shall be determined. From the amendment proposed in the draft it would appear that water rate is proposed to be levied with reference to the crop or crops grown on lands. Clause (a) of Sub-Rule (1) of Rule 3 refers to the different crops specified in Column 1 of the table, but in the amendment items (2), (3) and (4) of Parts I and II of the table seem to refer to the land and not the crop or crops. If the intention is to levy the water rate with reference to different crops grown, it would be necessary to clearly mention the irrigated dry crops, the garden crops and the manurial crops referred to in items (4), (5) and (6). In respect of sugarcane it has been specified that the rate would be Rs.20 per year per acre. Where a particular crop of sugarcane requires more than 12 months for harvesting the crop it would not be possible to levy the water rate for a period beyond a period of 12 months as the levy is on the basis of a year.

The principal rules were made with retrospective effect from the 1st day of July 1965. It is not clear whether the revised rates should also be brought into force with effect from that date. If the revised rates are brought into force with retrospective effect from 1st July 1965, it will have to be considered whether the Tahsildar would be able to perform the quasi-judicial functions entrusted to him under rule 4 and determine the water rates payable in respect of the different lands on which the various crops were grown during the last two years.

The Public Works and Electricity Department may kindly consider the points indicated above and revise the draft suitably.".

4) In the light of the above observations, a revised draft has been prepared enabling Govt. to levy water rates with reference to the different crops grown which is enclosed herewith.

(Contd...3)

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5. ~~As regards the sugarcane,~~ the Cabinet have approved a rate of Rs.20/- ~~&~~ Rs.30/- per acre per year in respect of the irrigation works capable of irrigating not more than 100 acres of land and in respect of the irrigation works capable of irrigating more than 100 acres of land respectively. The Law Dept. has observed that ~~in respect of sugarcane which has~~ been specified that the rates would be Rs.20/- per year per acre. ~~Where~~ a particular crop of sugarcane required for more than 12 months for harvesting the crops it would not be possible to levy the water rate for ~~the~~ a period beyond ~~the~~ a period of 12 months as the levy is on the basis of ~~the~~ a year. As per the previous amended rule, water rates have been prescribed differently in respect of sugarcane crop, Viz.,

(b) to be harvested after a period of 16-18 months eighty rupees

(a) to be harvested after a period of 11 months. Sixty rupees

6. According to the Cabinet decision the rate approved for Sugar Cane is for a period of one year. For any fraction of a year beyond one year the Act and the Rule do not permit levy of proportionate water rate. Such being the case in respect of sugarcane crop requiring water over a period of 12 months any higher rate cannot be charged. In view of the legal difficulties in consideration ~~It is therefore considered~~ desirable to adopt the following rates ~~by slightly modifying the water rate as approved by the Cabinet previously.~~

~~Generally sugarcane crop requires water from 12 to 15 months.~~

For Sugarcane Crop.	Under irrigation work capable of irrigating.	
	Not more than 100 acres.	More than 100 acres.
(a) to be harvested within a period of 12 months.	Rs. 20/-	Rs. 30/-
(b) to be harvested ~~after a period~~ in excess of 12 months	Rs.30/-	Rs.45/-

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~~The Secretary, P.W. & E. Dept. has moved thereupon that~~ in view of the legal difficulties pointed out by the Law Dept. ~~the~~ the suggestions made above, seems to be the only alternative course and may therefore be accepted.

6. When the File was submitted to the Minister for P.W. & Power, he has been pleased to ~~minute as follows:-~~ record as follows:-

"L.D. should have advised earlier. In the matter of water rate for the last five years we have done nothing excepting discussing without any result. There must be some finality. Advice given by L.D. in instalments cannot be appreciated. Since the proposal is to modify the rates already approved by the Cabinet, it is for the Cabinet to approve the revised proposal. Cabinet note may be prepared and placed before the next meeting for decision"

Id. (V.Patil)
Minister, P.W. 7-6-67.

7. Hence this note ~~is herewith~~ put up for consideration of the Cabinet.

(Chandappa Patel)
Secretary to Government,
P.W. & Electy. Department.

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PWD(O&B)/67

CABINET NOTE.

SUBJECT:- LEVY OF WATER RATES - AMENDMENT - REVISION OF WATER RATES.

On the recommendation of the Cabinet Sub-Committee constituted by the Council of Ministers in the Meeting held on 6-4-1967 to re-examine the question of Water Rates, The Cabinet decided in its Meeting held on 24-5-1967 to fix the water rates as under:-

I. In respect of Irrigation works having an atchkat of 100 acres and below:-

(1)	Sugarcane.	-- Rs.20/- per year per acre.
(2)	Single Wet (Paddy).	-- Rs.11/- per acre.
(3)	Double Wet (two paddy crops in one year).	-- Rs.16-50 per acre.
(4)	(a) Irrigated dry single crop.	-- Rs.5-50 per acre.
	(b) Irrigated dry two crops in one year.	-- Rs.8-25 per acre.
(5)	Garden crops.	-- Rs.12/- per acre per year.
(6)	Manurial crops.	-- Rs.3/- per acre per crop.

II. In respect of irrigation works having an atchkat of above 100 acres the water rates may be levied as detailed below:-

(1)	Sugarcane.	-- Rs.30/- per year per acre.
(2)	Single Wet (paddy).	-- Rs.16/- per acre.
(3)	Double Wet (two paddy crops in one year).	-- Rs.24/- per acre.
(4)	(a) Irrigated dry single crop.	-- Rs.8/- per acre.
	(b) Irrigated dry (two crops in one year).	- Rs.12/- per acre.
(5)	Garden crops.	-- ~~Rs.4/- per acre~~ Rs.20/- per year per acre.
(6)	Manurial crops.	-- Rs.4/- per acre per crop.

It was also decided there would be no Maintenance Cess.

III. Accordingly a Draft Amendment to the principal rules incorporating the above decisions ~~of the Cabinet~~ regarding water rates was prepared and referred to the Law Dept. for scrutiny. The Law Dept. made the following observations:-

(Contd...2)

"According to Sub-Clause (ii) of Sub-Section (1) of Section 10 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, the Govt. may prescribe the rates at which the water rates shall be levied which may be different in respect of water supplied, made available or used from different irrigation works, and when the water is supplied, made available or used for irrigation of any land with or without reference to the crop or crops grown or which may be grown on such land and the manner in which and the authority by which the amount of water rate levied shall be determined. From the amendment proposed in the draft it would appear that water rate is proposed to be levied with reference to the crop or crops grown on lands. Clause (a) of Sub-Rule (1) of Rule 3 refers to the different crops specified in Column 1 of the table, but in the amendment items (2), (3) and (4) of Parts I and II of the table seem to refer to the land and not the crop or crops. If the intention is to levy the water rate with reference to different crops grown, it would be necessary to clearly mention the irrigated dry crops, the garden crops and the manurial crops referred to in items (4), (5) and (6). In respect of sugarcane it has been specified that the rate would be Rs.20 per year per acre. Where a particular crop of sugarcane requires more than 12 months for harvesting the crop it would not be possible to levy the water rate for a period beyond a period of 12 months as the levy is on the basis of a year.

The principal rules were made with retrospective effect from the 1st day of July 1965. It is not clear whether the revised rates should also be brought into force with effect from that date. If the revised rates are brought into force with retrospective effect from 1st July 1965, it will have to be considered whether the Tahsildar would be able to perform the quasi-judicial functions entrusted to him under rule 4 and determine the water rates payable in respect of the different lands on which the various crops were grown during the last two years.

The Public Works and Electricity Department may kindly consider the points indicated above and revise the draft suitably".

IV. In the light of the above observations, draft has been revised to levy water rates with reference to the different crops grown, which is enclosed to this Note.

(Contd...3)

V. The Law Dept. has observed that if a particular crop of sugarcane requires water for more than 12 months for harvesting the crops it would not be possible to levy the water rate for the period beyond a period of 12 months as they levy is on the basis of the year. Therefore the water rate for sugarcane will have to be prescribed on the basis of the period during which water will be supplied as is the case in the rules in force, which is as under: ~~For~~ sugarcane to be:-

(a) to be harvested after a period of 16-18 months. -- Eighty rupees.

(b) to be harvested after a period of 11 months. -- Sixty rupees.

VI. According to the Cabinet decision the rate approved for sugarcane is for a period of one year. For any fraction of a year beyond one year the Act and the Rule do not permit levy of proportionate water rate. Such being the case, in respect of sugarcane crop requiring water ~~over~~ for more than a period ~~of~~ 12 months any higher rate cannot be charged. In view of the legal difficulties pointed out by the Law Dept., it is for consideration whether the following rates in the case of sugarcane could be approved:-

For Sugarcane Crop.	Under irrigation work capable of irrigating.	
	Not more than 100 acres.	More than 100 acres.
(a) to be harvested within a period of 12 months. --	Rs.20/-	Rs.30/-
(b) to be harvested between 12 months & 18 months. --	Rs.30/-	Rs.45/-

(Contd...4)

VII. When the File was submitted to the Minister for P.W. & Power, he has been pleased to order that the subject may be placed before the Cabinet in the next Meeting for decision.

VIII. Hence this Cabinet Note.

8/6

(Chandappa Patel)
Secretary to Government,
P.W. & Electy.Dept.

Draft - NOTIFICATION

The draft of the following Rules ~~to~~ further to amend the Mysore Irrigation (Levy of Water Rates) Rules, 1965, which the ~~Govt.~~ Government of Mysore proposes to make in exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, (Mysore Act 28 of 1957) is hereby published as required by Sub-Section (1) of the said Section for the information of persons likely to be affected thereby and ~~there-fore~~ notice is hereby given that the said draft rules will be taken into consideration on or after the . . . . . .

Any objection or suggestion which may be received from any person with respect to the aforesaid draft rules by the State Govt. before the date specified above will be considered by the ~~Govt.~~ Government Objections and suggestions may be addressed to the Secretary to the Govt. of Mysore, P.W.D. Vidhana Soudha, Bangalore-1:-

~~DRAFT.~~

1. Title and Commencement:- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (Second Amendment) Rules, 1967.

(2) They shall be deemed to have come into force ~~from~~ on the 1st day of July 1965.

2. Amendment of Rule 3:- In Rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, ~~(hereinafter referred to as the principal rules)~~, said

(1) in sub-rule (1), below

~~(1)~~ (a) for the Table ~~in~~ clause (a), the following Table shall be substituted, namely:-

p.t.o.

qu

TABLE.

PART-I.

Lands irrigated by any irrigation work capable of irrigating not more than one hundred acres of land:

Crop. (1)	Water Rate per acre. (2)
(i) ~~for~~ Sugarcane ~~crop~~.	
(a) to be harvested within a period of ~~12~~ months.	-- ~~Rs.20/-~~ (~~Twenty~~ Rupees).
(b) to be harvested after a period of ~~12 months~~ and during ~~a~~ period between ~~12~~ and eighteen ~~18~~ months	-- ~~Rs.27/-~~ 30 Thirty rupees (~~Twenty-seven Rupees~~).
(ii) Paddy ~~crop~~.	-- ~~Rs.11/-~~ (Eleven ~~Rupees~~).
(iii) ~~For an~~ Any Irrigated dry crop of Javar, Maize, Ragi, Navane, Sajje, Pulses, green gram, wheat, cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, ... Tobacco ~~and~~ or Coriander.	-- ~~Rs.5-50~~ (~~Five~~ rupees and ~~fifty~~ Paise).
(iv) Manurial crops, ~~viz.,~~ namely (Sannhemp ~~and~~ & Sesbania.	-- ~~Rs.3/-~~ (Three rupees).

PART -II.

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land:

Crop. (1)	Water Rates per acre. (2)
(i) ~~For~~ Sugarcane ~~crop~~.	
(a) to be harvested within a period of ~~12~~ months.	-- ~~Rs. 30/-~~ (Thirty rupees).
(b) to be harvested after a period of ~~12 months~~ and during ~~a~~ period between ~~12~~ and eighteen ~~18~~ months	-- ~~Rs.40/-~~ 45 forty five rupees (~~Forty rupees~~).
(ii) ~~For~~ Paddy ~~crop~~.	-- ~~Rs.16/-~~ (Sixteen rupees).
(iii) ~~For an~~ Irrigated dry crop of Javar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet Potatoes; . . . . . Ginjelly, Onions, Tobacco ~~and~~ or Coriander.	-- ~~Rs.8/-~~ (Eight rupees).
(iv) Manurial crops, ~~viz.,~~ namely (Sannhemp & Sesbania.	-- ~~Rs.4/-~~ (~~Rupees Four~~ Four rupees.

(~~b~~) In clause (b) ~~In respect of rule 3(1)(b) of the principal rules~~ the ~~following shall be substituted:-~~

"(b) in respect of water supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of lands on which arecanut, betel leaves, plantain, turmeric, lime, oranges, pomegranates, cocoanut, pepper, mulberry

(i) after the word 'betel leaves' the words 'turmeric, lime, oranges, pomegranates, cocoanut, pepper, mulberry' shall be inserted.

(Contd.....3)

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(ii) for the Table the following Table shall be substituted namely:-

or any fruit are grown, water rates at the rates specified in the corresponding entry in Column (2) of the said Table shall in respect of each revenue year, be levied;

TABLE.

Irrigation work. (1)	Rate per acre. (2)
(1.) Irrigation work capable of irrigating not more than one hundred acres of land	Rs. 12/- (Rupees Twelve) only
2.) Irrigation work capable of irrigating more than one hundred acres of land.	Rs. 20/- (Rupees Twenty) only

(2) for sub-rule (2), (2) For Sub-Rule (2) of Rule 8 of the principal rules the following shall be substituted:-

(a) after the words "paddy crop" the words "or any other irrigated dry crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Green-gram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweetpotatoes, Ginjelly, Onions, Tobacco and Coriander" shall be inserted;

(b) for the Table below the following Table shall be substituted, namely:-

(2) When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of any land on which paddy crop or any other irrigated dry crop of Jawar, Maize, Ragi, Navane, Sajje pulses, Green-gram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweetpotatoes, Ginjelly, Onions, Tobacco and Coriander is grown twice in any revenue year, water rates at the rates specified in the corresponding entry of Column (2) of the said Table, shall be levied for the second crop.

TABLE.

Irrigation work. (1)	Rate per acre of second crop of. (2)	
	Paddy.	Irrigated dry crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables Chillies, Potatoes, Sweetpotat Gingelly, Onions, Tobacco and Coriander.
(1) Irrigation work capable of irrigating not more than one hundred acres of land.	5-50	4-00
(2) Irrigation work capable of irrigating more than one hundred acres of land.	8-00	

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE

Deputy Secretary to Govt.,
P.W.D. (Irrigation).

To

The Compiler, Mysore Gazette.

NOTIFICATION

The draft of the following rules further to amend the Mysore Irrigation (Levy of Water Rates) Rules, 1965, which the Government of Mysore proposes to make in exercise of the powers conferred by section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, (Mysore Act 28 of 1957) is hereby published as required by sub-section (1) of the said section 11 for the information of persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after the 29th of July 1967. . . .

Any objection or suggestion which may be received from any person with respect to the aforesaid draft rules by the State Government before the date specified above will be considered by the Government. Objections and suggestions may be addressed to the Secretary to the Government of Mysore, Public Works Department, Vidhana Soudha, Bangalore-1.

Revised draft
MML
22/6

1. Title and commencement.- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (~~Second~~ (Amendment) Rules, 1967.

(2) ~~They~~ Rule 2 shall be deemed to have come into force on the first day of July 1965.

2. Amendment of rule 3.- In rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965, ~~(hereinafter referred to as the said rules),~~

(1) in sub-rule (1),

(a) for clause (a) and the Table therein, the following clause and Table shall be substituted, namely:-

"(a) in respect of water supplied, made available or used from the Irrigation Works specified in Parts I and II of the Table below for growing the different crops specified in column (1) of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown, be levied.

TABLE

PART I.

~~Lands irrigated by any~~ Irrigation work capable of irrigating not more than one hundred acres of land:

Crop. (1)	Water Rate per acre. (2)
(i) For sugarcane crop --	
(a) to be harvested within a period of twelve months.	Twenty rupees.
(b) to be harvested ~~during the~~ after a period of ~~between~~ twelve months ~~and~~ but before a period of eighteen months.	Thirty rupees.
(ii) For paddy crop	Eleven rupees.
(iii) For any ~~irrigated dry~~ crop of ~~Javar~~ Jowar, Maize, Ragi, Navane, Sajje, Pulses, Green gram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco, ~~and~~ or Coriander.	Five rupees and fifty paise.
(iv) For any manurial crops, such as, ~~namely~~, Sannhemp or Sesbania.	Three rupees

PART II.

Lands irrigated by any irrigation work capable of irrigating more than one hundred acres of land:

Crop. (1)	Water rate per acre. (2)
(i) For sugarcane crop	
(a) to be harvested within a period of twelve months.	Thirty rupees.
(b) to be harvested after a period of twelve months but before a period of eighteen months.	Fortyfive rupees.
(ii) For paddy crop	Sixteen rupees.
(iii) For any irrigated dry crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco or Coriander.	Eight rupees.
(iv) For manurial crops, namely, Sannahemp or Sesbania.	Four rupees.

(b) for clause (b) and the Table therein the following clause and Table shall be substituted, namely:-

"(b) in respect of water supplied, made available or used from any irrigation works specified in column (1) of the Table below for the irrigation of lands on which arecanut, plantain, betel leaves, turmeric, lime, organges, pomegranates, coconut, pepper, mulberry, or any fruit is grown, water rates at the rates specified in column (2) of the said Table shall, in respect of each revenue year, be levied.

TABLE

Irrigation work. (1)	Rate per acre. (2)
(1) Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees.
(2) Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees. ,,

(2) For sub-rule (2) and the Table therein, the following sub-rule and Table shall be substituted, namely:-

"(2) When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of any land in which paddy crop, or any ~~other irrigated dry~~ crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobaco ~~and~~ or Corriander is grown twice in any revenue year, water rates at the rates specified in the corresponding ~~entry~~ entries in columns (2) and (3) respectively of the said Table shall be levied for the second crop.

TABLE

Irrigation work (1)	Rate per acre of second crop of	
	Paddy. (2)	~~Irrigated dry crop of~~ Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet-potatoes, Gingelly, Onions, Tobacco or Coriander. (3)
(1) Irrigation work capable of irrigating not more than one hundred acres of land.	Five rupees and fifty paise.	Two rupees and seventyfive paise.
(2) Irrigation work capable of irrigating more than one hundred acres of land.	Eight rupees.	Four rupees. ,,

3. Omission of rule 4 & Rule 4 of the Mysore Irrigation (Levy of Water Rates) ~~Rules~~ (Amendment) Rules, 1966, shall be, and shall be deemed always to have been, omitted.

By Order and in the name of
the Governor of Mysore,

23/6/67

Deputy Secretary to Govt.,
P.W.D. (Irrigation).

To

The Compiler, Mysore Gazette. for publication
in the next issue of the Gazette —

All the ~~Divisional~~ Executive Engineers (Irrigation) ✓
All the Chief Engineers. (Irrigation) ✓
~~All the S.E.~~
~~All the S.E.'s~~
All the D.C.S ✓

Copy to the — Rev. Dept. ✓
Cabinet Section (Ref. to C 139/67
dt 14.6.67)

Gazette
Section Officer

(c)

Sub:-Water Rates Rules (Amendment)1967
- publication of-

Draft:

Dear Sir,

In enclosing herewith a copy of draft notification ~~of~~ No.PWD 10 LBW 67 dated 23.6.67 relating to revised water rates, I am directed to request you to kindly cause publication of the same in the next issue of the Gazette (that is, 29.6.67) without fail.

In anticipation of publication of the same in the next issue of Gazette I have addressed all the Divisional Commissioners, Deputy Commissioners and Chief Engineers, enclosing a copy of the above draft rules for taking advance action in preparation of demand statements etc., so as to commence recovery of levy immediately the final rules are published. Therefore, I request publication of the same in the next issue of the Gazette invariably.

Press Docket to this effect is also enclosed

Yours sincerely,

26/6/67

D.S.(I)

To

Sri M.A.Sri Rama,
Director,
Govt. Press,
Bangalore.

App. F. VI, G. 10

GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETARIAT

Draft Water Rates Rules (Amendment) 1967.	Issues revising the Water Rates to be levied in respect of different crops.
G.O. No. PWD 10 LBW 67	DATED 23.6.1967.

May this be—

(i) printed ?	..	Yes
(ii) treated as a standing order ?	..	
(iii) published in the Gazette, English Part ?	..	Yes
(iv) translated ?		--
(v) placed at the disposal of the press ?		--
(vi) published in the Gazette, Kannada Part ?		--

Memo No.PWD 10 LBW 67 Bangalore, dated 23.6.67

Forwarded to the Compiler, Mysore Gazette for publication in the next issue of the Gazette and for supply of 700 copies to this Secretariat.

28/6/67

(M.Channappa)
Deputy Secretary to Govt.
PWD (Irrigation)

No.PWD 10 LBI 67

Mysore Government Secretariat,
Public Works Department,
Vidhana Soudha,
Bangalore, dated, 23-6-1967.

NOTIFICATION.

The draft of the following rules further to amend the Mysore Irrigation (Levy of Water Rates) Rules, 1965, which the Government of Mysore proposes to make in exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, (Mysore Act 28 of 1957) is hereby published as required by Sub-Section (1) of the said section 11 for the information of persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after the 29th of July 1967.

Any objection or suggestion which may be received from any person with respect to the aforesaid draft rules by the State Government before the date specified above will be considered by the Government. Objections and suggestions may be addressed to the Secretary to the Government of Mysore, Public Works Department, Vidhana Soudha, Bangalore -1.

1. Title and commencement:- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (Amendment) Rules, 1967.

(2) Rule 2 shall be deemed to have come into force on the first day of July 1965.

2. Amendment of rule 3- In rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965,

(1) in sub-rule (1),

(a) for clause (a) and the Table therein, the following clause and Table shall be substituted, namely:-

"(a) in respect of water supplied, made available or used from the Irrigation Works specified in Parts I and II of the Table below for growing the different crops specified in column (1) of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown, be levied.

TABLE

PTO

PART I.

Irrigation work capable of irrigating not more than one hundred acres of land:

Crop (1)	Water Rate per acre. (2)
(i) For sugarcane crop-	
(a) to be harvested within a period of twelve months.	Twenty rupees.
(b) to be harvested after a period of twelve months but before a period of eighteen months.	Thirty rupees.
(ii) For paddy crop	Eleven rupees.
(iii) For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Green Gram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco, or Coriander.	Five rupees and fifty paise.
(iv) For any manurial crop such as, Sannhemp or Sesbania.	Three rupees.

PART II.

Irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water rate per acre. (2)
(i) For sugarcane crop.	
(a) to be harvested within a period of twelve months.	Thirty rupees.
(b) to be harvested after a period of twelve months but before a period of eighteen months.	Fortyfive rupees.
(ii) For paddy crop.	Sixteen rupees.
(iii) For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco or Coriander.	Eight rupees.
(iv) For manurial crops, namely, Sannahemp or Sesbania.	Four rupees.

(b) for clause (b) and the Table therein the following clause and Table shall be substituted, namely:-

"(b) in respect of water supplied, made available or used from any irrigation works specified in column (1) of the Table

below for the irrigation of lands on which arecanut, plantain, betel leaves, turmeric, lime, oranges, pomegranates, coconut, pepper, mulberry, or any fruit is grown, water rates at the rates specified in column(2) of the said Table shall, in respect of each revenue year, be levied.

TABLE.

Irrigation work (1)	Rate per acre. (2)
(1) Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees.
(2) Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees. "

(2) For sub-rule (2) and the Table therein, the following sub-rule and Table shall be substituted, namely:-

"(2) When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of any land in which paddy crop, or any crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobaco or Corriander is grown twice in any revenue year, water rates at the rates specified in the corresponding entries in columns (2) and (3) respectively of the said Table shall be levied for the second crop.

TABLE.

Irrigation work.	Rate per acre of second crop of Paddy.	Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet-Potatoes, Gingelly, Onions, Tobacco or Coriander.
(1)	(2)	(3)
(1) Irrigation Work capable of irrigating not more than one hundered acres of land.	Five rupees and fifty paise.	Two rupees and seventyfive paise.
(2) Irrigation work capable of irrigating more than one hundred acres of land.	Eight Rupees.	Four rupees "

3. Omission of Rule 4.

Rule 4 of the Mysore Irrigation (Levy of Water Rates)

(Amendment) Rules, 1966, shall be , and shall be deemed always to have been, omitted.

By order and in the name of the
Governor of Mysore,

M Channappa 23/6/67.

(M.Channappa),
Deputy Secretary to Government
Public Works Department (Irrigation)

To

The Compiler, Mysore Gazette for publication in the next issue of the Gazette.

All the Divisional Commissioners.

All the Chief Engineers (Irrigation).

~~All the Superintending Engineers (Irrigation)~~

~~All the Executive Engineers (Irrigation)~~.

All the Deputy Commissioners.

Copy to the Revenue Department.

Cabinet Section (Ref.No. C 139/67 dated 14-6-1967).

Weekly Gazette.

Section Guard File.

PK:

[redacted]WD 10 LBW 67

DRAFT.

To

1. The Secretary to Govt.
   Revenue Department.
2. Divisional Commissioner, Bangalore Dn.
3. -do- Mysore Dn.
4. -do- Belgaum Dn.
5. -do- Gulbarga Dn.
~~6. Chief Engineer (G), Bangalore.~~
~~7. Chief Engineer (IP), Bangalore.~~
~~8. Chief Engineer, (I.O.P), Bangalore.~~
6. Deputy Commissioners of all Districts.

Sir,

Sub:-Draft Water Rate Rules (Amendment) 1967 - Implementation of -

--

I am directed to enclose herewith a copy of Draft Water Rate Rules (Amendment) 1967, (which is being published in the next issue of the Gazette ~~dated 29.6.67~~) revising the water rates to be levied in respect of different crops, for your information. ~~and immediate needful action~~.

This revised levy will come into effect from 1.7.1965.

Immediate instructions may kindly be issued to the officers concerned to go ahead ~~and in~~ with the preparation of demand notices based on these revised rates, so as to commence the process of recovery of the same immediately the amended rules are finaly notified.

~~This should be viewed~~ as very important and ~~acted on top priority~~.

Yours faithfully,
28/6/67
Dy Secretary to Government,
Public Works Department

Copy of the above along with a Copy of the draft water rate rules (amendment) 1967 is forwarded to 1) CE (G) 2) CE (IP) 3) CE (I.O.P) for information.

M.CHANNAPPA, B.E., AMIE.,
Deputy Secretary to Govt.
Public Works Dept.(Irrigation)

Mysore Government Secretariat,
"Vidhana Soudha"
Bangalore, dated the 23 June 1967.

D.O.No.PWD.10 LBW 67

Dear Sir,

Sub:-Water Rates Rules (Amendment) 1967 -
publication of -

In enclosing herewith a copy of draft Notification No.PWD 10 LBW 67 dated 23.6.67 relating to revised water rates, I am directed to request you to kindly cause publication of the same in the next issue of the Gazette (i.e. 29.6.67) without fail.

In anticipation of publication of the same in the next issue of Gazette I have addressed all the Divisional Commissioners, Deputy Commissioners and Chief Engineers, enclosing a copy of the above draft rules for taking advance action in preparation of demand statements etc., so as to commence recovery of levy immediately the final rules are published. Therefore, I request publication of the same in the next issue of the Gazette invariably.

Press Docket to this effect is also enclosed.

Yours sincerely,

23/6/67

To

Shri M.A.Sri Rama,
Director,
Govt. Press,
Bangalore.

E/C.

GOVERNMENT OF MYSORE

No.PWD.10 LBW 67.

Mysore Govt. Secretariat,
Vidhana Soudha,
Bangalore, dated the 23-6-67.

From

The Secretary to Govt. of Mysore,
P.W.& Electricity Department,
Bangalore.

To

1.The Secretary to Govt. of Mysore,
Revenue Department, Bangalore.

2.The Divisional Commissioner, Bangalore Dn.
3. -do- Mysore Dn.
4. -do- Belgaum Dn.
5. -do- Gulbarga Dn.
6.The Deputy Commissioners of all Districts.

Sir,

SUB:-Draft Water Rate Rules (Amendment) 1967 - Impelementation of -

--

I am directed to enclose herewith a copy of Draft Water Rate Rules (Amendment) 1967, (which is being published in the next issue of the Gazette) revising the water rates to be levied in respect of different crops, for your information.

This revised levy will come into effect from 1.7.1965.

Immediate instructions may kindly be issued to the officers concerned to go ahead with the preparation of Demand notices based on these revised rates, so as to commence the process of recovery of the same immediately the amended rules are finally notified.

Yours faithfully,

M Channappa 23/6/67

(M.Channappa)
Deputy Secretary,
PWD (Irrigation)

Issued 24.6.67

Copy of the above along with a copy of the draft water rate rules (amendment) 1967 is forwarded to:
1)Chief Engineer (G),Bangalore, (2)Chief Engineer(IP),
3)Chief Engineer (Investigation & Projects)B'lore,
for information.

Govt. of Mysore

No.PWD 10 LBI 67

Mysore Government Secretariat,
Public Works Department,
Vidhana Soudha,
Bangalore, dated, 23-6-1967.

NOTIFICATION.

The draft of the following rules further to amend the Mysore Irrigation (Levy of Water Rates) Rules, 1965, which the Government of Mysore proposes to make in exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rate) Act, 1957, (Mysore Act 28 of 1957) is hereby published as required by Sub-Section (1) of the said section 11 for the information of persons likely to be affected thereby and notice is hereby given that the said draft rules will be taken into consideration on or after the 29th of July 1967.

Any objection or suggestion which may be received from any person with respect to the aforesaid draft rules by the State Government before the date specified above will be considered by the Government. Objections and suggestions may be addressed to the Secretary to the Government of Mysore, Public Works Department, Vidhana Soudha, Bangalore -1.

1. Title and commencement:- (1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (Amendment) Rules, 1967.

(2) Rule 2 shall be deemed to have come into force on the first day of July 1965.

2. Amendment of rule 3- In rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965,

(1) in sub-rule (1),

(a) for clause (a) and the Table therein, the following clause and Table shall be substituted, namely:-

"(a) in respect of water supplied, made available or used from the Irrigation Works specified in Parts I and II of the Table below for growing the different crops specified in column (1) of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown, be levied.

TABLE.

PTO

PART I.

Irrigation work capable of irrigating not more than one hundred acres of land:

Crop (1)	Water Rate per acre. (2)
(i) For sugarcane crop- (a) to be harvested within a period of twelve months.	Twenty rupees.
(b) to be harvested after a period of twelve months but before a period of eighteen months.	Thirty rupees.
(ii) For paddy crop	Eleven rupees.
(iii) For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Green Gram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco, or Coriander.	Five rupees and fifty paise.
(iv) For any manurial crop such as, Sannhemp or Sesbania.	Three rupees.

PART II.

Irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water rate per acre. (2)
(i) For sugarcane crop. (a) to be harvested within a period of twelve months.	Thirty rupees.
(b) to be harvested after a period of twelve months but before a period of eighteen months.	Fortyfive rupees.
(ii) For paddy crop.	Sixteen rupees.
(iii) For any crop of Jowar, Maize, Ragi Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco or Coriander.	Eight rupees.
(iv) For manurial crops, namely, Sannahemp or Sesbania.	Four rupees.

(b) for clause (b) and the Table therein the following clause and Table shall be substituted, namely:-

"(b) in respect of water supplied, made available or used from any irrigation works specified in column (1) of the Table

below for the irrigation of lands on which arecanut, plantain, betel leaves, turmeric, lime, oranges, pomegranates, coconut, pepper, mulberry, or any fruit is grown, water rates at the rates specified in column(2) of the said Table shall, in respect of each revenue year, be levied.

TABLE.

Irrigation work (1)	Rate per acre. (2)
(1) Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees.
(2) Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees. "

(2) For sub-rule (2) and the Table therein, the following sub-rule and Table shall be substituted, namely:-

"(2) When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of any land in which paddy crop, or any crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobaco or Corriander is grown twice in any revenue year, water rates at the rates specified in the corresponding entries in columns (2) and (3) respectively of the said Table shall be levied for the second crop.

TABLE.

Irrigation work.	Rate per acre of second crop of	
	Paddy.	Jawar, Maize, Ragi, Navane Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet-Potatoes, Gingelly, Onions, Tobacco or Coriander.
(1)	(2)	(3)
(1) Irrigation Work capable of irrigating not more than one hundered acres of land.	Five rupees and fifty paise.	Two rupees and seventyfive paise.
(2) Irrigation work capable of irrigating more than one hundred acres of land.	Eight Rupees.	Four rupees "

3. Omission of Rule 4.

Rule 4 of the Mysore Irrigation (Levy of Water Rates)

(Amendment) Rules, 1966, shall be , and shall be deemed always to have been, omitted.

By order and in the name of the
Governor of Mysore,

M Channappa 23/6/67.

(M.Channappa),
Deputy Secretary to Government,
Public Works Department(Irrigation).

To

The Compiler, Mysore Gazette for publication in the next issue of the Gazette.

All the Divisional Commissioners.

All the Chief Engineers (Irrigation).

~~All the Superintending Engineers (Irrigation).~~

~~All the Executive Engineers (Irrigation).~~

All the Deputy Commissioners.

Copy to the Revenue Department.

Cabinet Section (Ref.No. C 139/67 dated 14-6-1967).

Weekly Gazette.

Section Guard File.

PK:

GOVERNMENT OF MYSORE

No.PWD 10 LBW 67 Mysore Govt. Secretariat,
Vidhana Soudha,
Bangalore, Dated,.....

NOTIFICATION.

In exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957, (Mysore Act 23 of 1957), the Govt. of Mysore hereby makes the following rules, the draft of the same having been published in Notification No.PWD 10 LBW 67 dated 23-6-1967, in the Mysore Gazette dated, 29th June 1967, as required by Sub-Section(1) of the said Section, namely:-

---

1. **Title and Commencement.**—(1) These rules may be called the Mysore Irrigation (Levy of Water Rates) (Amendment) Rules, 1967.

(2) Rule 2 shall be deemed to have come into force on the first day of July 1965.

2. **Amendment of Rule 3.**—In rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965.

(1) in sub-rule (1),

(a) for clause (*a*) and the Table therein, the following clause and Table shall be substituted, namely:—

"(*a*) in respect of water supplied, made available or used from the Irrigation works specified in Parts I and II of the Table below for growing the

different crops specified in column (1) of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown, be levied.

TABLE

PART I.

Irrigation work capable of irrigating not more than one hundred acres of land :

Crop (1)	Water Rate per acre (2)
(i) For sugarcane crop—	
(a) to be harvested within a period of twelve months.	Twenty rupees.
(b) to be harvested after a period of twelve months but before a period of eighteen months.	Thirty rupees.
(ii) For paddy crop	Eleven rupees.
(iii) For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Green Gram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Gingelly, Onions, Tobacco, or corriander.	Five rupees and fifty paise.
(iv) For any manurial crop such as, Sannhemp or Sesbania.	Three rupees.

PART II.

Irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water rate per acre. (2) Rs.
(i) For sugarcane crop—	
(a) to be harvested within a period of twelve months.	Thirty rupees.
(b) to be harvested after a period of twelve months but before a period of eighteen months.	Forty-five rupees.
(ii) For paddy crop.	Sixteen rupees.
(iii) For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet Potatoes, Gingelly, Onions, Tobacco or Corriander.	Eight rupees.
(iv) For manurial crops, namely, Sunnhemp or Sesbania.	Four rupees.

(b) for clause (*b*) and the Table therein the following clause and Table shall be substituted, namely :—

"(*b*) in respect of water supplied, made available or used from any irrigation works specified in column (1) of the table below for the irrigation of lands on which arecanut, plantain, betel leaves, turmeric, lime, oranges, pomegranates, coconut, pepper, mulberry, or any fruit is grown, water rates at the rates specified in column (2) of the said Table shall, in respect of each revenue year, be levied.

TABLE.

Irrigation work (1)	Rate per acre. (2)
(1) Irrigation work capable of irrigating not more than one hundred acres of land.	Twelve rupees.
(2) Irrigation work capable of irrigating more than one hundred acres of land.	Twenty rupees."

(2) For sub-rule (2) and the Table therein, the following sub-rule and Table shall be substituted, namely:—

"(2) When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of any land in which paddy crop, or any crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions, Tobacco or Corriander is grown twice in any revenue year, water rates at the rates specified in the corresponding entries in columns (2) and (3) respectively of the said Table shall be levied for the second crop.

TABLE.

Irrigation work.	Rate per acre of second crop of Paddy.	Rate per acre of second crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet-Potatoes, Gingelly, Onions, Tobacco or Coriander.
(1)	(2)	(3)
(1) Irrigation Work capable of irrigating not more than one hundred acres of land.	Five rupees and fifty paise.	Two rupees and seventy-five paise.
(2) Irrigation work capable of irrigating more than one hundred acres of land.	Eight Rupees.	Four rupees

3. **Omission of Rule 4.**—Rule 4 of the Mysore Irrigation (Levy of Water Rates) (Amendment) Rules, 1966, shall be, and shall be deemed always to have been, omitted.

[No. PWD 10 LBW 67.]

By Order and in the name of the Governor of Mysore,

106 (Sd) M. CHANNAPPA, *Deputy Secy.*

Printed by the Director of Printing, Sty. & Publications at the Govt. Press, Bl'lore

30-6-67

App. F. VI, G. 10

GOVERNMENT OF MYSORE

MYSORE GOVERNMENT SECRETARIAT

Water Rates Rules (Amendment) 1967.	Issues revising the Water Rates to be levied in respect of different crops.

G.O. No. PWD 10 LBW 67 DATED 3-8-1967

May this be—

(i) printed ? .. Yes

(ii) treated as a standing order ? .. -

(iii) published in the Gazette, English Part ? .. Yes

(iv) translated ? .. -

(v) placed at the disposal of the press ? .. -

(vi) published in the Gazette, Kannada Part ? .. -

Memo No. PWD 10 LBW 67 Bangalore, dated 3rd August, 1967.

Forwarded to the Compiler, Mysore Gazette for favour of publication in the next issue of the Gazette and for supply of 300 copies to this Secretariat.

4/8/67

(M. Channappa)
Deputy Secretary to Govt.
PWD (Irrigation).

Issued 4/8/67

Government of Mysore

NO.PWD 10 LBW 67

Mysore Government Secretariat,
"Vidhana Soudha"
Bangalore, dated 3rd Aug.1967.

N_o_t_i_f_i_c_a_t_i_o_n

In exercise of the powers conferred by Section 11 of the Mysore Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957, (Mysore Act 28 of 1957), the Government of Mysore hereby makes the following rules, the draft of the same having been published in Notification No.PWD 10 LBW 67 dated the 23rd June, 1967, in the Mysore Gazette dated the 29th June, 1967, as required by sub-Section (1) of the said section, namely.-

1. Title and Commencement.-(1)These rules may be called the Mysore Irrigation (Levy of Water Rates)(Amendment) Rules, 1967.

(2) Rule 2 shall be deemed to have come into force on the first day of July, 1965,

2. Amendment of Rule 3.- In rule 3 of the Mysore Irrigation (Levy of Water Rates) Rules, 1965,

(1) in sub-rule (1),
(a) for clause (a) and the Table therein, the following clause and Table shall be substituted, namely.-

"(a) in respect of water supplied, made available or used from the Irrigation works specified in parts I and II of the Table below for growing the different crops specified in column (1) of the said Table, water rates at the rates specified in the corresponding entry in column (2) of the said Table shall, in respect of each such crop grown, be levied.

T a b l e

Part - I

Irrigation work capable of irrigating not more than one hundred acres of land.-

Crop (1)	Water Rate per acre (2).
i) For sugarcane crop.-	
a) to be harvested within a period of twelve months.	Twenty Rupees
b) to be harvested after a period of twelve months but before a period of eighteen months. ...	Thirty Rupees
ii) For paddy crop ...	Eleven Rupees
iii) For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Green Gram, wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Gingelly, Onions,	....2.

(1)	(2)
Tobacco, or corriander ..	Five Rupees and Fifty paise.
iv) For any manurial crop such as, Sannhemp or Sesbania. ..	Three rupees.

Part - II

Irrigation work capable of irrigating more than one hundred acres of land.

Crop (1)	Water rate per acre (2)
i) For sugarcane crop.-	
a) to be harvested within a period of twelve months. ..	Thirty Rupees.
b) to be harvested after a period of twelve months but before a period of eighteen months.	Forty-five Rupees
ii) For paddy crop. ..	Sixteen rupees.
iii) For any crop of Jowar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet Potatoes, Gingelly, Onions, Tabacco or Corriander. ..	Eight rupees.
iv) For manurial crops, namely, Sannhemp or Sesbania.	Four rupees.

b) for clause (b) and the Table therein the following clauses and Table shall be substituted, namely.-

"(b) in respect of water supplied, made available or used from any irrigation works specified in column (1) of the table below for the irrigation of lands on which arecanut, plantain, betel leaves, turmeric, lime, oranges, pomegranates, coconut, pepper, mulberry, or any fruit is grown, water rates at the rates specified in column (2) of the said Table shall, in respect of each revenue year be levied.

T a b l e

Irrigation work (1)	Rate per acre (2)
(1) Irrigation work capable of irrigating not more than one hundred acres of land	Twelve Rupees.
(2) Irrigation work capable of irrigating more than one hundred acres of land. ...	Twenty Rupees."

....3.

(2) For sub-rule(2) and the Table therein, the following sub-rule and Table shall be substituted, namely.-

"(2) When water is supplied, made available or used from the irrigation works specified in column (1) of the Table below, for the irrigation of any land in which paddy crop, or any crop of Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnut, Vegetables, Chillies, Potatoes, Sweet Potatoes, Ginjelly, Onions. Tobacco or Corriander is grown twice in any revenue year, water rates at the rates specified in the corresponding entries in columns (2) and (3) respectively of the said Table shall be levied for the second crop.

T_a_b_l_e

Irrigation Work.	Rate per acre of second crop of	
	Paddy	Jawar, Maize, Ragi, Navane, Sajje, Pulses, Greengram, Wheat, Cotton, Groundnuts, Vegetables, Chillies, Potatoes, Sweet-Potatoes, Gingelly, Onions, Tobacco or Coriander.
(1)	(2)	(3)
(1)Irrigation work capable of irrigating not more than one hundred acres of land.	Five Rupees and fifty paise.	Two rupees and seventy-five paise.
(2)Irrigation work capable of irrigating more than one hundred acres of land.	Eight Rupees.	Four Rupees. "

3.Omission of Rule.4.- Rule 4 of the Mysore Irrigation (Levy of Water Rates)(Amendment) Rules, 1966, shall be, and shall be deemed always to have been, omitted.

By Order and in the name of the Governor of Mysore,

M P Channappa 3/8/67

(M.CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT
PUBLIC WORKS DEPARTMENT(IRRN.)

Issued 4/8/67

To
1)The Compiler, Mysore Gazette, for publication in the next issue of Gazette.
2)All the Divisional Commissioners,
3)All the Chief Engineers,(Irrigation Side)
4)All the Superintending Engineers,
5)All the Executive Engineers,
6)All the Deputy Commissioners,

Copy to.- 1) Revenue Department,
2) Weekly Gazette,
3) Section Guard File.

Chand;

No.PWD.10 LBW 67.

To

The Director of Printing,
Stationery & Publications,
Govt. Press,
Bangalore.

Sir,

Sub:-:Printing of the Mysorre Irrigation (Levy of water rates) (Amendments) Rules,1967.

--

In continuation of Memo No.PWD.10 LBW 67 dated 3.8.1967 forwarding a Press docket for publication of the Rules in the next issue of the Gazette and for supplying 300 copies of the rules cited above, I am directed to request you to supply another 350 copies of the said rules direct to the Revenue Secretariat as the same are required by them for supplying to the subordinate officers (i.e. Tahsildars) to facilitate speedy implementation of the rules under intimation to ~~the P.W.D~~ the Dept.

Yours faithfully,

10/8/67

(Sd/- ~~S.O.~~ D/C)

~~Sp.~~ Bangalore.

AUTHORISED FOR ISSUE

Executive Officer

Mysore Government Secretariat

Copy to Revenue Dept. for information

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GOVERNMENT OF MYSORE

No. PWD 10 LBW 67.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

Dated, Bangalore,.....8-1967.

FROM

The Secretary to the Government of Mysore,
Public Works Department.

To

The Director of Printing,
Stationery and Publications,
Government Press,
Bangalore.

Sir,

Sub:-Printing of the Mysore Irrigation(Levy of Water rates) (Amendments) Rules 1967.

In continuation of Memo No.PWD 10 LBW 67,dated 3-8-1967 forwarding a Press docket for publication of the Rules in the next issue of the Gazette and for supplying 300 copies of the rules cited above, I am directed to request you to supply another 350 copies of the rules, ~~cited above, I am directed to request you to supply another 350 copies of the said rules~~ direct to the Revenue Secretariat as the same are required by them for supplying to the subordinate officers (i.e.Tahsildars) to facilitate speedy implementation of the rules, under intimation to this Department.

Authorised for issue.
O/C
Section Officer,
P.W.D(Spl.Irrign.).

Yours faithfully,
Sd/-M.Channappa.
Dy.Secretary to Govt.,
P.W.D(Irrigh.).

M.S.SWAMINATHAN,
Divisional Commissioner,
Mysore Division.

MYSORE DIVISION,

Mysore, dated...14-3-1967.

D.O.No.IRR.31.C.2704/66-67

OFFICE OF THE MINISTER FOR REVENUE
NO D. 93 | 67
21 MAR 1967

Dear Shri Chandappa Patel,

Sub: Levy of maintenance Cess under Section 44 of the Mysore Irrigation Act of 1965 - clarification re:

Ref: 1. Government Letter No.PWD 2104/SPL/66-67 dated 2.2.67 addressed to this office.

2. This office letter of even number dated 6.2.1967 addressed to the Under Secretary to Government, Public Works Department, Bangalore.

Please refer to this office letter cited second on the above subject.

It was requested in this office letter dated 22-6-1966 that the irrigation cess at the existing rates was included in the Land Revenue Demand for 1965-66; and that levy of maintenance cess under Section 44 of the Irrigation Act for any portion of the year 1965-66 would amount to double recovery of tax for the same purpose. As per Section 44(2) of the Irrigation Act 1965, on and from the date of levy of the maintenance cess, the irrigation cess levied as a separate charge on the lands liable to pay maintenance cess shall cease to be levied. Since the maintenance cess has been ordered to be collected from 1.1.1966, it is a point for consideration whether the Irrigation Cess already collected is required to be refunded for the period for which the maintenance cess is charged.

In this connection, it was requested that a clarification may be issued whether, any such refund has to be made. But, orders of Government have not been received till this date.

(p.t.o)

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I, therefore, request you kindly to look into the matter personally and see that clarification requested is issued early.

Yours sincerely,

sd/- M.S.Swaminathan

Sri Chandappa Patel,
Secretary to Government,
Public Works and Electricity Deptt.,
P.B.No.346, Bangalore-1.

Copy to the Private Secretary to the Minister for Revenue for submission to the Hon'ble Minister for kind information.

(M.S.Swaminathan)
Divisional Commissioner,
Mysore Division, Mysore.

Draft.

No.PWD

OFFICIAL MEMORANDUM

Subject:- Maintenance Cess - abolition of -

Section 44 of the Mysore Irrigation Act, 1965, contemplates ~~by~~ levy of Maintenance Cess (which is ~~turned~~ termed as tax on land) at ~~Rx 40/-~~ Rs.4/- per acre of land ~~in~~ on the area benefitted by any irrigation work maintained by the State Govt., the Tungabhadra Board or a Taluk Development Board or other authority. ~~Sub-Sections 2 and 3 of the said Section also deals with the mode of levy of~~ and recovery of the maintenance cess. The question ~~regarding recovering~~ relating to levy of maintenance cess as a separate charge, apart from water rates has been engaging the attention of Govt. for some time past. It is now decided to abolish the ~~separate levy of~~ maintenance cess ~~tenable~~ leviable under Section 44 of the ~~Mysore Irrigation~~ said Act, ~~1965~~ (Mysore Act No.16 of 1965) ~~and to merge the same with the water rates which are leviable under the Mysore Irrigation (Levy of Betterment Contribution and Water Rates) Act, 1957 and the Rules framed thereunder~~ The ~~mode for~~ modified water rates rules, prescribing the revised water rates ~~of the~~ after inclusive merger of maintenance cess which are ~~have been framed~~ and published in the Gazette dated 29-6-1967 as GSR No.275, and they are expected to be issued finally/~~xxxxxxx~~ in a ~~very~~ short period. These rates come into effect from 1-7-1965.

Accordingly, ~~Govt. direct~~ it is directed that the collection of the maintenance cess be discontinued forthwith and the amount so collected as maintenance cess be adjusted towards water rates due or to be paid in this behalf. Necessary ~~amendments to~~ action has been taken to amend Section 44 of the Mysore Irrigation Act, 1965 and the rules framed thereunder ~~are being issued separately~~ suitably.

Superseded

Separately

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE

D.S., to Govt., P.W.D.(Irrigation).

To
The C.E.~~(Genl), Bangalore~~.
The Divisional Commissioners.

p.t.o.

The [redacted]puty Commissioners.
The Superintending Engineers.
The Executive Engineers.

Copy to Revenue Dept.

Weekly Gazette.

D R A F T

OFFICIAL MEMORANDUM

SUBJECT:- Maintenance Cess - Abolition of -

.....

Section 44 of the Mysore Irrigation Act, 1965, (Mysore Act 16 of 1965), contemplates levy of Maintenance Cess at Rs.4/- per acre on lands benefitted by any irrigation work maintained by the State, the Tungabhadra Board or a Taluk Development Board or any other authority.

The question whether the levy of maintenance cess should continue or not has been engaging the attention of the Government for some time past. It has now been decided to abolish this Cess leviable under Section 44 of the said Act. It is therefore directed that the collection of the Maintenance Cess may be discontinued forth with and if any amount has been collected as Maintenance Cess, it may be adjusted towards Water Rate due or to be paid in this behalf.

This order issues with the Concurrence of the Finance Dept. vide their U.O.No 5006/67 Dt 22.8.1967

Necessary action is being taken in the matter of amending suitably Section 44 of the Mysore Irrigation Act, 1965 and the Rules framed thereunder.

By order etc.

25/8/67

Dy Secretary to Govt. PW&E Dept.

To

The C.Es.
The Divisional Commissioners.
The D.Cs.
The S.Es.
The E.Es.

The Ag. Hydro Elec. . .

Copy to Revenue Dept.
Weekly Gazette.

No. PWD 10 LBW 67.

Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, Dated 26th August 1967.

OFFICIAL MEMORANDUM

Subject:- Maintenance Cess - Abolition of -

-: 0 :-

Section 44 of the Mysore Irrigation Act, 1965, (Mysore Act 16 of 1965), contemplates levy of Maintenance Cess at Rs.4/- per acre on lands benefited by any irrigation work maintained by the State, the Tungabhadra Board or a Taluk Development Board or any other authority.

The question whether the levy of maintenance cess should continue or not has been engaging the attention of the Government for some time past. It has now been decided to abolish this Cess leviable under Section 44 of the said Act. It is therefore directed that the collection of the Maintenance C Cess may be discontinued forth-with and if any amount has been collected as Maintenance Cess, it may be adjusted towards Water Rate due or to be paid in this behalf.

This order issues with the concurrence of the Finance Department vide their U.O.No.5006/F.S. dated 22.8.1967.

Necessary action is being taken in the matter of amending suitably Section 44 of the Mysore Irrigation Act, 1965 and the Rules framed thereunder.

BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE.

M Channappa 26/8/67

(M. CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT (IRRIGATION).

28/8/67

To

The Chief Engineers.
The Divisional Commissioners.
The Accountant General, Mysore, Bangalore.
The Deputy Commissioners.
The Superintending Engineers.
The Executive Engineers.

Copy to Revenue Department.

Weekly Gazette.

Prabhu/26.8.

No. PWD 10 LBW 67. Mysore Government Secretariat,
Vidhana Soudha,
Bangalore, Dated 26th August 1967.

OFFICIAL MEMORANDUM

Subject:- Maintenance Cess - Abolition of -

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Section 44 of the Mysore Irrigation Act, 1965, (Mysore Act 16 of 1965), contemplates levy of Maintenance Cess at Rs.4/- per acre on lands benefited by any irrigation work maintained by the State, the Tungabhadra Board or a Taluk Development Board or any other authority.

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BY ORDER AND IN THE NAME OF THE
GOVERNOR OF MYSORE.

M Channappa 26/8/67

(M. CHANNAPPA)
DEPUTY SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT (IRRIGATION).

To

The Chief Engineers.
The Divisional Commissioners.
The Accountant General, Mysore, Bangalore.
The Deputy Commissioners.
The Superintending Engineers.
The Executive Engineers.

Copy to Revenue Department.

Weekly Gazette.

Prabhu/26.8.

REVENUE DEPARTMENT

Letter No.1208/M/67-4, dated the 22nd May, 1967.

From

Sri M.R. Pai, I.A.S.,
Secretary to Govt., (Incharge),
Revenue Department,
HYDERABAD.

To

The Secretary to Govt. of Mysore,
P.W. and Electricity Department,
Bangalore (with enclosures)

Sir,

Sub:- Irrigation - Levy of water rates - Information - Furnished

Ref:- From the Secretary to Govt. of Mysore, P.W & Elect. Dept. D.O.No.PWD/10/LBW/67, dt. 6-4-67, and letter of Even dated 26-4-1967.

- - - - - -

I am directed to furnish herewith a note containing wet assessment and water rates obtaining in this state as desired in your letter cited.

Yours faithfylly,

D. Kamaraxa Rao

for Secretary to Government

26.5.67

Copy to.

MYSORE No. 2288 2 JUN 1967

25/5/67

4/6

NO. 2288 & 2289

If approved, this will be placed in the main file No. PWD 10 LBW 67 which has been referred to by on 5.6.'67

4/6/6/6/67

4/6

Copy of :- ~~OFFICE OF THE BOARD OF REVENUE, Andhra Pradesh, Hyderabad.~~

NOTE ON

WET ASSESSMENT AND WATER RATES IN ANDHRA PRADESH STATE

1. WET ASSESSMENT:

The lands in the State are classified into wet and dry lands. Wet lands bear consolidated wet assessment which include elements of dry assessment and of charge for water. No separate charge for water is leviable on single crop wet land for raising a single irrigated crop, but if a second irrigated crop is raised thereon with the aid of water from a Government source of irrigation, an extra charge for second irrigated crop will be levied which will ordinarily be one and half times the consolidated wet assessment.

2. ASSESSMENT OF SUGARCANE CROP:

The Andhra Pradesh sugarcane crop Land Revenue Assessment Act, 1965 lays down a separate mode of levy of assessment on sugarcane crop. The rates chargeable on sugarcane crop under this Act are as follows:

Category and extent of ayacut under Govt. source of irrigation.	Sugarcane crop.	Rate of assessment for wet lands on which sugarcane crop is raised.	Rate of assessment for dry lands on which sugarcane crop is raised.
(1)	(2)	(3)	(4)
I. 5,000 acres and above.	(1) Eksali variety of sugarcane crop ordinarily remaining in the land for eight to twelve months.	2½ times the assessment for wet land.	2½ times the assessment for dry land and 3½ times the water rate.
	(2) Adsali variety of sugarcane crop ordinarily remaining in the land for not less than sixteen months	3½ times the assessment for wet land.	3½ times the assessment for dry land and 4 times the water rate.
II. Below 5,000 acres.	(1) Eksali variety of sugarcane crop ordinarily remaining in the land for eight to twelve months.	2 times the assessment for wet lands.	2 times the assessment for dry land and 2½ times the water rate.
	(2) Adsali variety of sugar-cane crop ordinarily remaining in the land for not less than sixteen months.	2 times the assessment for wet land.	3 times the assessment for dry land and 3½ times the water rate

ANDHRA AREA.

3. WATER CESS ON DRY LANDS:

When water is taken from a Government source of irrigation for irrigating dry lands, water cess is chargeable. Water rates are chargeable on dry lands according to the

(a) standard scale of water cess;

(b) uniform rates of water cess; and

(c) differential rate of water cess.

1. STANDARD SCALE OF WATER CESS:

The existing rates of water cess on dry lands in the deltaic and non-deltaic areas of the Andhra region are as follows:

(a) DELTAIC AREAS.

Description of crop.	Rate per acre	
	First class irrigation Rs.	Second class irrigation. Rs.
(i) First crop, if wet.	12-50	10-00
(ii) First crop, if dry.	6-25	5-00
(iii) Second crop, if wet and following a first wet crop.	6-25	5-00
(iv) Second crop, if wet and following a first dry crop.	12-50	10-00
(v) Second crop, if dry.	6-25	5-00
(vi) Third crop, if wet	5-00	4-00
(vii) Third crop, if dry.	2-50	2-00

NOTE:- The charge leviable for two wet crops (first and second wet crops) will be levied on a dufasal crop other than sugarcane.

(b) NON-DELTAIC AREAS:

Description of crop	First class source Rs.	Second class source Rs.
(i) First wet crop.	8-00	6-00
ii) First dry crop, systamatically irrigated.	6-00	4-50
iii) First dry crop, occassionally irrigated.	4-00	3-00
(iv) Second wet crop following wet crop.	4-00	3-00
(v) Second dry crop (systematically) irrigated) following wet crop.	3-00	2-25

P.T.O.

	Rs	Rs
(vi) Second dry crop (occasionally irrigated) following a wet crop	2-00	1-50
(vii) Second wet crop following dry crop (systematically irrigated)	5-00	3-75
(viii) Second dry crop (systematically irrigated) following dry crop (systematically irrigated)	4-00	3-00
(ix) Second dry crop (occasionally irrigated) following dry crop (systematically irrigated)	3-00	2-25
(x) Second wet crop following dry crop (occasionally irrigated)	6-00	4-50
(xi) Second dry crop (systematically irrigated) following dry crop (occasionally irrigated)	5-00	3-75
(xii) Second dry crop (occasionally irrigated) following dry crop (occasionally irrigated)	4-00	3-00
(xiii) Dufasal crop (other than sugarcane.)	12-00	9-00

NOTE: The Collectors have to notify from time to time the list of crops which are to be regarded as "systematically irrigated" and as "occasionally irrigated".

5. UNIFORM RATES OF WATER CESS:

Under a-ll new irrigation projects water cess is levied at the following uniform rates:

	Rate per acre: Rs.
a) For the first or single wet crop on dry land.	15-00
b) For the irrigated dry crop on dry land.	10-00
c) For dufasal crop other than sugarcane or for two wet crops.	22-50

6. DIFFERENTIAL WATER CESS:

Under this system water cess on dry lands is charged at the rate equivalent to the difference between the wet and dry assessment. The rates for the vaious crops are - - -

Description of crop	Rate per acre:
(i) For a single wet crop	The difference between the wet and dry assessment.
(ii) For a second or third wet crop	One-Half of the charge shown against item (i) above, plus half the dry assessment.
(iii) For a first, second or third dry crop.	One-third of the charge shown against item (i) above.
(iv) For dufasal crop other than sugarcane.	The sum of the charges specifie fied against items (i) and(ii) above.

7. IRREGULAR IRRIGATION:

When irrigation is resorted to unauthorisedly, penal water cess is levied up to ten times the water cess according to the gravity of the offence.

Sd/
Assistant Secretary.

//True copy//

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REVENUE DEPARTMENT

Letter No.1208/M/67-4, dated the 22nd May, 1967.

From

Sri M.R. Pai, I.A.S.,
Secretary to Govt., (Incharge),
Revenue Department,
HYDERABAD.

MYSORE
No. 2289
2 JUN 1967

To

The Secretary to Govt. of Mysore,
P.W. and Electricity Department,
Bangalore (with enclosures)

Sir,

Sub:- Irrigation - Levy of water rates - Information - Furnished.

Ref:- From the Secretary to Govt. of Mysore, P.W & Elect. Dept. D.O.No.PWD/10/LBW/67, dt. 6-4-67, and letter of Even dated 26-4-1967.

I am directed to furnish herewith a note containing wet assessment ~~are~~ and water rates obtaining in this state as desired in your letter cited.

Yours faithfylly,

Sd/-
for Secretary to Government.

Copy to the P.W.Department
(N section)
(with enclosure)

N.R.23/5

/FORWARDED :: BY ORDER/

SECTION OFFICER

Copy of :- ~~OFFICE OF THE BOARD OF REVENUE, Andhra Pradesh, Hyderabad.~~

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ANDHRA AREA.

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(i) First crop, if wet.	12-50	10-00
(ii) First crop, if dry.	6-25	5-00
(iii) Second crop, if wet and following a first wet crop.	6-25	5-00
(iv) Second crop, if wet and following a first dry crop.	12-50	10-00
(v) Second crop, if dry.	6-25	5-00
(vi) Third crop, if wet	5-00	4-00
(vii) Third crop, if dry.	2-50	2-00

NOTE:- The charge leviable for two wet crops (first and second wet crops) will be levied on a dufasal crop other than sugarcane.

(b) NON-DELTAIC AREAS:

Description of crop.	First class source Rs.	Second class source Rs.
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(iii) First dry crop, occassionally irrigated.	4-00	3-00
(iv) Second wet crop following wet crop.	4-00	3-00
(v) Second dry crop (systematically irrigated) following wet crop.	3-00	2-25

P.T.O.